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EXECUTIVE COMMITTEE OF THE PROGRAMME OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES

Fifty-first session

SUMMARY RECORD OF THE 543rd MEETING

Held at the Palais des Nations, Geneva,
on Monday, 2 October 2000, at 10 a.m.

Temporary Chairman: Mr. PÉREZ-HERNÁNDEZ y TORRA (Spain)

Chairman: Mr. KHORRAM (Islamic Republic of Iran)

later: Mr. MOLANDER (Vice-Chairman) (Sweden)

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STATEMENT BY THE OUTGOING CHAIRMAN

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ANNUAL THEME: hcr@50: FROM RESPONSE TO SOLUTIONS

The meeting was called to order at 10.20 a.m.

OPENING OF THE SESSION (item 1 of the provisional agenda) (A/AC.96/LI/L.1)

1. The TEMPORARY CHAIRMAN declared the fifty-first session of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees open.

STATEMENT BY THE OUTGOING CHAIRMAN

2. The TEMPORARY CHAIRMAN, speaking in his capacity as Chairman of the fiftieth session, thanked his colleagues on the Executive Committee and the staff of UNHCR for their cooperation during a year of office that he considered exceptional, not only in professional, but also in personal terms. He paid tribute to Mrs. Ogata's abilities, a rare combination of the capacity to act and the power of thought, and believed that she would leave her mark after the 10 years she had spent at the helm of UNHCR, a period characterized by many crises and difficulties of all kinds.

3. He warmly welcomed the news that the UNHCR staff member abducted in West Africa had been released, but was appalled at the deaths of the colleagues who had recently been assassinated in the course of their duties. The security of humanitarian personnel was a matter of concern to the entire United Nations system, other intergovernmental organizations and NGOs and should be UNHCR's top priority. A concerted effort, involving UNHCR's senior management and the Executive Committee, should be made to examine the issue urgently and to take concrete steps to ensure the safety of humanitarian actors.

4. Referring to the restructuring of the annual programme budget, the new composition of the Executive Committee and the reorganization of the pledging conference, he said that UNHCR should continue with its internal reform process. To enable it to perform at its best, it was also important that there should be a continuous, increasing and predictable flow of voluntary contributions; that would naturally require an increase in the number of donors, but also closer cooperation with the private sector and a more important role for the media. With regard to the protection regime, discussions should continue on the complementary roles of humanitarian action, human rights promotion activities and peacekeeping operations and on reconciliation measures. UNHCR should make use of the theoretical conclusions of such discussions to back up its own action.

5. While he had been Vice-Chairman of the Executive Committee, he had been to Kosovo, where many of the problems characteristic of humanitarian action had arisen, in particular with regard to coordination among the various humanitarian actors, collaboration with the military and the implementation of reconciliation programmes. As Chairman of the Executive Committee, he had visited the Islamic Republic of Iran and had understood the difficulties of countries like Iran, Pakistan and various African countries, which did not command the attention of the international community, but had for many years taken in enormous numbers of refugees.

6. He commended the admirable work UNHCR was doing, despite the difficulties, on behalf of some 22 million refugees around the world and the decision to arrange for an independent assessment of its operation in Kosovo. He called for solidarity with refugees and expressed the hope that World Refugee Day, which was at last to be instituted, would be an opportunity to renew that commitment every year in future.

ELECTION OF OFFICERS (item 2 of the provisional agenda)

7. Ms. KUNADI (India) nominated Mr. Khorram (Islamic Republic of Iran) for the office of Chairman.

8. Mr. SKOGMO (Norway) and Mr. RODRIGUEZ CEDEÑO (Venezuela) seconded the nomination.

9. Mr. Khorram (Islamic Republic of Iran) was elected Chairman by acclamation.

10. Mr. HUHTANIEMI (Finland) nominated Mr. Molander (Sweden) for the office of Vice-Chairman.

11. Mr. BURUSAPATANA (Thailand) and Mr. MCHUMO (United Republic of Tanzania) seconded the nomination.

12. Mr. Molander (Sweden) was elected Vice-Chairman by acclamation.

13. Mr. HASSAN (Nigeria) nominated Mr. Alfeld (South Africa) for the office of Rapporteur.

14. Mr. BLOKHIN (Russian Federation) seconded the nomination.

15. Mr. Alfeld (South Africa) was elected Rapporteur by acclamation.

16. Mr. Khorram (Islamic Republic of Iran) took the Chair.

STATEMENT BY THE CHAIRMAN

17. The CHAIRMAN said that he deplored the tragic deaths of several UNHCR staff in West Timor and Guinea. The murders were an affront to the peaceful and humanitarian principles that UNHCR strove to uphold. As Chairman, he would ensure that the issue of security for humanitarian personnel and in regions hosting refugees was the highest priority and hoped that the Committee would do likewise in taking its decisions.

18. He commended the achievements of Mrs. Ogata, who had brought humanitarian action to the forefront of global attention and given wise and exemplary guidance to UNHCR in its work on behalf of millions of refugees at a time of crisis in various areas of the world.

19. Nevertheless, many long-standing refugee situations had yet to be resolved and represented a heavy burden for the host countries concerned, one that was beyond their

economic, social and political strength. All States had a role to play in resolving such situations, in particular through enhanced dialogue with one another, including in the Executive Committee and in meetings of the Standing Committee. During his tenure as Chairman, he would work to promote that dialogue.

20. There were 22.3 million persons of concern to UNHCR in 150 countries around the world and especially in Africa and Asia. The fiftieth anniversary of UNHCR and, in 2001, that of the 1951 Convention relating to the Status of Refugees should provide an opportunity to reflect on the experience gained and, with formidable obstacles still remaining, to find new and innovative solutions for the future of humanitarian action.

21. Recalling his missions to Thailand and the Caucasus, he commended those States that had maintained their generous asylum policies despite the enormous economic, social and environmental constraints involved and called on the international community to support those countries that hosted large numbers of refugees.

22. Two of his priority areas were security and the enhancement of dialogue among all relevant parties and he called on donor countries to maintain their contributions to UNHCR.

ADOPTION OF THE AGENDA AND OTHER ORGANIZATIONAL MATTERS (item 3 of the provisional agenda) (A/AC.96/LI/L.1)

23. The agenda was adopted.

ANNUAL THEME: UNHCR@50: FROM RESPONSE TO SOLUTIONS (agenda item 4) (A/AC.96/938)

Opening statement by the United Nations High Commissioner for Refugees

24. Mrs. OGATA (United Nations High Commissioner for Refugees) said that she was honoured to introduce a very special guest, Mr. Kofi Annan, the first United Nations Secretary-General to address the Executive Committee. He was particularly welcome at a time when UNHCR staff were marking their sorrow and outrage at the brutal murders of three of their colleagues, Samson Aregahegn, Carlos Caceres and Pero Simundza in West Timor, and another, Mensah Kpognon, in Guinea. On the occasion of the fiftieth anniversary of UNHCR, a memorial would be dedicated to all UNHCR staff who had lost their lives serving the refugee cause.

25. Since she was shortly to leave UNHCR, she wished to reflect on her two terms of office. When she had taken office in 1991, the Cold War had just ended and people had been speaking of a new world order. There had indeed been changes for the better: democracy had spread across central and eastern Europe and Latin America and apartheid in South Africa had been defeated. Yet times had become complicated, not least in UNHCR's field of work. In 1991, nearly 2 million Iraqi Kurds had fled to Iran and Turkey and UNHCR had moved into northern Iraq, working closely with international military forces for the first time. In the following years, UNHCR had been constantly challenged to rethink its protection, assistance and solutions strategies, especially in the former Yugoslavia and central Africa. The foundation of protection

had remained legal, but ensuring protection had increasingly become an operational, practical, hands-on activity. UNHCR had become much more active in countries of origin, particularly when helping returnees reintegrate. At the same time, new patterns in conflicts had made forced population movements more fluid and complex than ever before. UNHCR had faced terrible dilemmas, frequently alone: in Bosnia and Herzegovina and Kosovo, real international engagement had come too late and, in the Great Lakes region, there had not been any meaningful international engagement since 1994.

26. There had also been successes for UNHCR over the past 10 years. The most important one had been the repatriation of millions of refugees. The African National Congress exiles had returned to post-apartheid South Africa and, in Mozambique, all 1.7 million refugees had returned home and, more importantly, stayed home. UNHCR had helped nearly 400,000 Cambodian refugees return home and the completion of repatriation from Thailand to Laos and the closure of the Pillar Point centre in Hong Kong had signalled the end of the 25-year-old Indochinese refugee saga. Those successes demonstrated that complex refugee problems could be solved when Governments were committed and resources were available.

27. With regard to unresolved refugee situations, she said there were some encouraging signs of progress. Minority returns were finally becoming a reality in Bosnia and Herzegovina and in Croatia. Rwanda had also made progress, but it needed new development investment to consolidate returns and foster reconciliation. Development actors must take over and the Government must have the political will to resolve the fundamental problems of power-sharing and democratization. Burundi, too, was at a crossroads, between peace and renewed conflict. If peace came, UNHCR was ready to help more than half a million refugees from Burundi to leave the United Republic of Tanzania and return home. Meanwhile, the Tanzanian Government must be helped to maintain its generous asylum policies. Lastly, in the Horn of Africa, determined international efforts had resulted in a ceasefire and helped address the worst consequences of the latest drought. A final peace settlement would open the way to solutions, both for people displaced recently and for the refugees from previous outflows.

28. Elsewhere, there were very worrying situations, particularly in Africa. In the Democratic Republic of the Congo, the theatre of a complex conflict, millions of people were suffering and little was being done to address their plight. The Lusaka Agreement might be the only existing framework for peace, but it had stalled. Should not more pressure be put on the belligerents and their supporters? The other very worrying region was West Africa, where repeated setbacks in implementing the Lomé Agreement were keeping half a million Sierra Leonean refugees from returning home. Worse still, fresh attacks in border areas of Guinea created the risk that instability would escalate and cause massive displacement in the region. Humanitarian assistance to Côte d'Ivoire and Guinea, the two countries hosting Liberia and Sierra Leonean refugees, would have to be coupled with security support.

29. With regard to other continents, she recalled that, when she had become High Commissioner, Afghans were the world's largest refugee population. Two and a half million Afghan refugees remained in exile today, even after the repatriation of more than 4 million people since 1992. Many more refugees would like to return, but there were obstacles, such as the ongoing conflict, the lack of economic opportunities or respect for human rights - particularly the rights of women - drought and the lack of resources for humanitarian operations. In Kosovo,

the massive international relief operation was winding down and the focus must now be on protecting non-Albanian minorities. In the Russian Federation, the fighting that had flared up in Chechnya in September 1999 had uprooted a quarter of a million people. UNHCR provided cross-border assistance, but could make little impact, since insecurity and the risk of kidnapping prevented it from working inside Chechnya and restricted its operations in the neighbouring republics.

30. A solution was in sight for the 100,000 Bhutanese refugees who had been languishing in camps in Nepal for seven years, although differences in interpretation were still an obstacle to their return. UNHCR had suggested a formula, which Nepal had accepted, but Bhutan had not. The situation in Timor was also very worrying. After the murder of the three UNHCR staff members, 125,000 refugees had had to be abandoned. UNHCR was committed to helping them and supporting the Indonesian Government, but that support came with conditions: the authorities must disarm and disband the militias and arrest and prosecute the killers of the three UNHCR colleagues. The list of situations where a solution remained elusive was frustratingly long. There were, for example, more than 400,000 Sudanese refugees spread across several African nations; refugees from Western Sahara were still waiting to return; 100,000 refugees were still in camps along the Thai-Myanmar border; many people had been displaced by still "frozen" conflicts in the south Caucasus; there were hundreds of thousands of displaced people in Colombia and half a million in Sri Lanka.

31. Looking to the future, she said there were five important areas where it was necessary to reflect, plan and take concrete action. Firstly, UNHCR's emergency preparedness and response capacity must continue to be strengthened. The emergency mechanisms established in 1992 had dramatically improved UNHCR's ability to respond to refugee crises: standby arrangements, particularly for staff, had been created and steps had been taken to raise the level of preparedness of governmental and NGO partners. But the humanitarian environment had changed since 1992 and UNHCR's initial response during the Kosovo refugee crisis had revealed a critical need to review the emergency mechanisms. Within the constraints of available resources UNHCR was therefore implementing a series of measures to increase its surge capacity, particularly in the areas of security, logistics, telecommunications and accommodation in the field.

32. The second area where intensified efforts were needed concerned the creation of a secure environment for refugee-populated areas and humanitarian operations. In eastern Congo and, more recently, West Timor, UNHCR had learned painful lessons about the tragic consequences that followed when refugees and perpetrators of violence were left together. Since 1997, therefore, UNHCR had advocated a "ladder of options", including the deployment of international civilian monitors or police with a view to strengthening local law enforcement mechanisms. In parallel, there must be decisive movement on improvements in staff safety conditions. It was essential to balance the need to be next to the refugees, often in very dangerous areas, with the requirement that staff should be kept safe. As part of its examination of current security arrangements, UNHCR had decided to reassess its benchmarks for suspending operations, evacuating staff and the eventual resumption of activities. Political support from the international community would be necessary, for UNHCR staff could protect refugees only if they were alive and safe.

33. The third area related to the development of new approaches to complex forced population movements. They were complex because asylum-seekers who were fleeing persecution, human rights violations and violence tended to travel with people seeking better economic opportunities. People in many countries were increasingly troubled by what they saw as an abuse of the system and the cost of giving asylum. Such valid concerns could not be ignored. It was, however, heartening that, at the October 1999 Tampere Summit, the European Union had committed itself to the full and inclusive application of the 1951 Convention. UNHCR itself was to launch special consultations with Governments, not to renegotiate the 1951 Convention, but to promote its full implementation.

34. The fourth area for consideration concerned the need to bridge the gap between humanitarian and development assistance in the transition from war to peace. Resources were readily available for high-profile humanitarian emergencies, but, when development investment was required to consolidate fragile returns, UNHCR had a much more difficult time getting the world's attention. In 1999, donors had called for greater cooperation on the part of United Nations agencies. Efforts had been made, but she was disappointed that that had not led to more backing and more financial support for the transition phase.

35. The fifth challenge was the promotion of coexistence in divided communities. When fighting ended and repatriation began, refugees often returned to live alongside the very people they had fought against. From Bosnia and Herzegovina to Rwanda and from Liberia to East Timor, UNHCR no longer struggled with refugee crises, but with returnee crises. It had therefore launched an initiative called "Imagine Coexistence". Pilot projects had started in Bosnia and Herzegovina and Rwanda. When planning or implementing projects, the question to be asked was whether they promoted or undermined coexistence. She believed that that was one of the fundamental humanitarian questions of the next decade.

36. UNHCR must make further efforts to adapt and become a much more modern organization if it wished to remain relevant and effective. Rapid emergencies and the increasing pressures for quick solutions put new demands on its capacity to manage staff and resources. But new information and communication technologies made it possible to operate more effectively in some of the world's most remote and insecure areas. The decentralization of financial and human resources management was crucial. That process had started in Africa and would perhaps continue in Asia; it must be accelerated. The implementation of the integrated systems project in 2001 would provide managers with a comprehensive view of their activities. UNHCR had introduced new policies on postings, promotions and contracts in January. The guiding principles were performance and accountability. The end result should be greater transparency, objectivity and fairness in UNHCR's personnel practices. That applied also to staff rotation policies. Better management of rotation was crucial in order to consolidate recent progress in gender equity and increase the representation of women among UNHCR's senior staff. Improving resource management naturally required the establishment of rigorous systems, as donors legitimately demanded. UNHCR must avoid becoming a bureaucratic, timid organization and must have the courage and determination to change and adapt.

37. Modernization would cost money, however, and she regretted that UNHCR had become an underfunded organization. The shortfall was greater than in past years. In Tanzania, camp maintenance work had had to be delayed and programmes cancelled and, in Rwanda, the

distribution of shelter packages to returnees had had to be suspended. The cutbacks had extended to activities that impacted directly on UNHCR's policy priorities for women, children and the environment, inter alia, education and training programmes and reforestation. They had hampered the process of decentralization and made long-term planning impossible. They had diminished UNHCR's credibility and strained relations with refugees, Governments and various implementing partners. UNHCR would be critically weakened if urgent action was not taken. She thanked Japan, the Netherlands, the Nordic countries, Switzerland and the United States for their support and made a personal appeal to donors, especially the European Commission, some European Governments and other countries whose support had recently declined or had never been commensurate with their economic possibilities. The global appeal, the mid-year report and the unified budget aimed to make UNHCR's needs clearer and its operations more transparent. UNHCR was reaching out to a wider circle of potential supporters in the private sector, the corporate world and the public at large. To support those efforts, it was building a more professional media relations network.

38. On 14 December 2000, the Refugee Education Trust would be launched to mark UNHCR's fiftieth anniversary. The Trust would give refugee adolescents in developing countries opportunities for post-primary education. In the words of the song chosen as the slogan for UNHCR's fiftieth anniversary, she exhorted member States to respect their commitment to protect the poorest of the poor, those who had lost their homes; to respect the humanitarian workers who were with them on the front lines; and, above all, to respect refugees. It was the faces of refugees that were the clearest mirrors of UNHCR's failures and successes. Positive results had given her the strength to continue; seeing the suffering of people had made her sad and angry, but had convinced her, every time, that UNHCR's work was needed.

39. Mr. ANNAN (United Nations Secretary-General) thanked Mrs. Ogata for the 10 years of service she had given to millions of the world's most unfortunate people. During that period, the nature of conflict had changed, with civilian populations becoming both the weapons and the targets of war. In some places, political leaders had exploited linguistic, religious or cultural differences and had encouraged groups to fear and hate each other, thereby provoking, deliberately and with carefully calculated brutality, the displacement of people. That had happened in the former Yugoslavia, in parts of the former Soviet Union and in the Great Lakes region of Africa. In other places, conflict had taken hold without such "ethnic" factors being paramount. In part, they had been a legacy of colonial rule or foreign occupation; and, in part, they had arisen simply out of the resentments and appetites that built up when an economy was mismanaged by a weak and corrupt State, especially in desperately poor countries with rich natural resources. In all such conflicts, warlords found political and economic advantage in terrorizing the civilian population, who were left with just two courses of action: for the young and able-bodied, to engage in the only viable economic activity left, namely, war; for the rest, to flee, if they could. Some fled across national frontiers to seek refuge in other countries, sometimes finding themselves better off than the local population, which did not benefit from the same assistance programmes. Those who did not flee also required protection.

40. Set up 50 years ago, UNHCR had become an agency administering relief around the world to a population much larger than that of many member States. And yet it had neither sovereign authority nor a regular budget. It was expected to keep order without weapons, in camps which were often used as bases by violent resistance movements. It was also expected to

care for millions of people and to finance that work by seeking voluntary donations from States that had many other claims on their resources. It was accused, sometimes, of doing the ethnic cleansers' work for them, when its mandate required it to provide safe transport and places of refuge for potential victims. And it was accused, at other times, of narrow legalism, when its mandate did not allow it to offer the same protection to the internally displaced as to refugees. Yet when it was given the task of helping the internally displaced, the funds to do so were rarely forthcoming. Whatever solutions were found for improving the lot of the internally displaced, it would require a very substantial and sustained commitment of resources and better coordination of all efforts. Too often, the decisions of donor Governments had ulterior political motives. Humanitarian work was being abused, becoming a substitute for political action to address the root causes of mass displacement. UNHCR had become part of a "containment strategy", by which the more fortunate and powerful countries sought to keep the problems of the poorer countries at arm's length. Was it not true that more generous humanitarian aid funding was given for relief efforts in countries close to the frontiers of the prosperous world than for remoter parts of the world such as Asia or Africa? The poor countries were expected to show generosity by taking in hundreds of thousands of refugees, while the rich countries did not stint on the precautions they took to ensure that as few asylum-seekers as possible ever reached their shores.

41. He and Mrs. Ogata had worked together to bring greater coherence to the United Nations system; to remind Member States that mandates must be matched with resources and with political will; and to forge new partnerships with civil society and the private sector. The most painful thing for both of them was the fact that they still could not guarantee the safety of their colleagues in the field - even less so today than 10 years ago. Recently, three UNHCR staff members had been murdered in West Timor and another in Guinea. All in the United Nations system - staff members and Member States alike - must do more to reduce the risks run by humanitarian workers.

42. The best tribute to Mrs. Ogata would be active support for UNHCR and its work in three main areas. First, the notion of asylum must be strengthened; States must resist the temptation to deal with their real or perceived immigration problems by limiting the protection they gave to refugees or by denying asylum-seekers access to their territory. He welcomed UNHCR's proposal to launch global consultations with Governments, aimed at revitalizing the protection regime and reaffirming the centrality of the 1951 Convention. Secondly, financial support for UNHCR remained vital. Successive budget reductions had involved cancelling or suspending activities crucial to the welfare of refugees. Even so, UNHCR projected a significant shortfall at the end of the year. It was essential to improve UNHCR's system of funding. Lastly, he appealed to all States to do more to ensure the safety of humanitarian workers in their territory, whether United Nations staff or staff of other agencies or NGOs. He would soon be submitting a report to the General Assembly on ways of improving staff security. He noted that humanitarian workers were killed, not despite the fact that they protected and helped vulnerable people, but precisely because they did so. Those who served the international community were entitled to expect Member States not only to provide security, but also to bring to justice those who violated it.

43. Ms. BERTINI (World Food Programme) welcomed the United Nations Secretary-General's statement that staff security was neither a luxury nor an option. She agreed with him and the High Commissioner that the security of humanitarian workers worldwide must be an absolute priority. There should be no tolerance whatsoever by the United Nations or by any Member State of the perpetrators of crimes against humanitarian workers, with which WFP was all too familiar, having lost 27 staff members in recent years. As she had said in a statement to the Security Council, United Nations staff members gave everything to the cause: they should not have to give their lives.

44. She paid tribute to Mrs. Ogata. As the first woman to head UNHCR and the second to lead a United Nations agency, Mrs. Ogata had shown rare determination and would leave a rich legacy. Mrs. Ogata had distinguished herself in particular by her willingness to become involved in the field and her efforts to strengthen UNHCR's relations with the Security Council. She thanked Mrs. Ogata for being an invaluable colleague and friend.

45. Mr. Molander (Sweden), Vice-Chairman, took the chair.

46. Mr. TAKASU (Japan) thanked the Secretary-General for his presence, which was a powerful statement of solidarity. Like the three previous speakers, he was very concerned about the safety of humanitarian staff. He was pleased that concrete proposals by the Executive Committee would be considered in the course of the session, but he also believed that Member States had a responsibility to adopt legislative frameworks for the protection of humanitarian workers He therefore reserved his delegation's right to make an official proposal to that effect at the next meeting.

47. Mr. RUDDOCK (Australia) said that, while he welcomed the generous contributions made by the Islamic Republic of Iran and by Pakistan, he wished to emphasize that that aid should not be used in such a way as to benefit certain groups at the expense of others, i.e. in a way that might cause resentment.

48. Mr. CHOWDHURY (Bangladesh) said he deplored the fact that it was frequently the media that determined what countries would receive aid by giving more extensive coverage to particular crises. As a result of the lack of media visibility, Bangladesh, as a host country, was almost solely responsible for the refugees from Myanmar.

49. Mr. KAMBINGA (Democratic Republic of the Congo) expressed his personal thanks to the High Commissioner for her efforts on behalf of Africa in general and his country in particular. He would nevertheless appreciate more details concerning the means she intended to use to put direct pressure on the parties to the ongoing conflict in the Democratic Republic of the Congo.

50. Mrs. OGATA (United Nations High Commissioner for Refugees) said she agreed with the statement made by the representative of Japan. She would be very pleased to respond to a concrete proposal when he had submitted one. With regard to Pakistan and the Islamic Republic of Iran, she said it was vital to do everything possible to avoid premature returns, while at the same time ensuring a balance between the various types of assistance. She was aware of the need to focus more closely on the Afghan refugees and assured the delegation of Australia that

UNHCR was working to find rapid solutions to that problem. Replying to the representative of Bangladesh, she said that UNHCR's job was to seek solutions both with countries of origin and with countries of asylum. For UNHCR to be able to carry out that task, its voice must be heeded by all the actors concerned, and that meant that they themselves must be aware of the problem. It was therefore very important that UNHCR itself should be able to keep the attention not only of the world media, but also of parliamentarians and NGOs focused on crisis situations. Lastly, with regard to the conflict in the Democratic Republic of the Congo, she said that political action was essential. In particular, negotiations could be organized in neighbouring countries, possibly with the support of key world political leaders. UNHCR's role was, however, not to enter into the realm of politics, but to concentrate on the human cost of conflicts, as it had always done, for example by drafting a humanitarian protocol.

The meeting rose at 1 p.m.

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EXECUTIVE COMMITTEE OF THE PROGRAMME OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES

Fifty-first session

SUMMARY RECORD OF THE 544th MEETING

Held at the Palais des Nations, Geneva,
on Monday, 2 October 2000, at 5 p.m.

Chairman: Mr. KHORRAM (Islamic Republic of Iran)

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ANNUAL THEME: UNHCR@50: FROM RESPONSE TO SOLUTIONS (continued)

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The meeting was called to order at 5.15 p.m.

ANNUAL THEME: UNHCR@50: FROM RESPONSE TO SOLUTIONS (agenda item 4) (continued) (A/AC.96/938)

1. Ms. TAFT (United States of America) paid tribute to the four UNHCR staff members who had recently been killed in West Timor and Guinea. Their sacrifice embodied the commitment of all UNHCR staff who risked their lives every day around the world. It was an outrage that humanitarian workers had become the target of armed elements and mechanisms were urgently needed to protect those on the front lines. It was gratifying to know that the Secretary-General was committed to leadership on the security issue.

2 She commended Mrs. Ogata on her commitment and performance during the 1990s, a challenging period for UNHCR and one when the world had looked to it to respond to the needs of refugees and other conflict victims.

3. Durable solutions were not easy to find and States must redouble their efforts to support UNHCR, its partners and affected Governments, both politically and financially. The 1990s had been a decade of repatriation, during which some 13.5 million people had voluntarily returned home. It must not be forgotten, however, that local integration and resettlement were also durable solutions.

4. It was becoming increasingly difficult for UNHCR to mobilize either human or financial resources to meet the challenges. A central objective over the coming year must be to develop a more effective collective approach to resource management, prioritization and mobilization, as well as strategies to ensure adequate funding. The United States was considering making a larger contribution early in 2001 and encouraged others to do likewise.

5. Mrs. Ogata's successor would need to address four key issues. First, UNHCR must prioritize its mandate responsibilities for protection and solutions and decide what support programmes were essential. Agreement should be reached with other organizations to ensure that all other needs were met and that acceptable standards of protection and care were provided.

6. Secondly, there needed to be a global recommitment to the international protection regime. Thirdly, UNHCR's emergency response mechanisms and protocols needed strengthening and surge capacity was required in order to respond to new emergencies and ensure adequate protection in the field.

7. Lastly, urgent attention needed to be given to the security of both refugees and humanitarian workers.

8. Mr. PETIT (France), speaking on behalf of the European Union and Bulgaria, Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Romania, Slovakia, Slovenia and Turkey, paid tribute to the High Commissioner and her staff, who had suffered greatly in recent weeks.

9. On the occasion of its fiftieth anniversary, it was worth remembering that UNHCR had initially been created for three years to deal with European situations. It was now a permanent actor on the international stage, with operations throughout the world. As its task had grown, however, so security conditions for both refugees and humanitarian workers had deteriorated. UNHCR's work increasingly took it into the thick of conflicts. The European Union condemned all attacks on humanitarian workers and welcomed the fact that they were defined as war crimes in the Statute of the International Criminal Court.

10. As crises became not only more frequent, but also more complex, UNHCR action had at times provoked criticism. The European Union commended UNHCR's willingness to analyse its action and learn from experience, as it had done, for example, after Kosovo.

11. UNHCR had also been active in defending the fundamental principles of asylum and in promoting the 1951 Convention relating to the Status of Refugees, the 1967 Protocol and other relevant international instruments, as well as providing support to States in implementing those instruments. The European Union called on all States that had not yet done so to accede to the 1951 Convention.

12. Although voluntary repatriation remained the best option for refugees, all too often UNHCR was unable to implement such programmes because of States' failure to settle conflicts. The European Union commended the generosity of those countries that took in large numbers of refugees and was concerned that some situations were not more rapidly resolved.

13. In a changing international context, it was important to find new approaches and the European Union welcomed UNHCR's efforts to develop partnerships, particularly through the PARinAC and Brookings processes. Cooperation with armed forces was a rather special area, and it was appropriate that the report of the Panel on United Nations Peace Operations (the Brahimi report), addressed the question of integrating conflict-prevention and peace-building strategies, in which humanitarian aspects were of great importance.

14. Regional strategies such as the Stability Pact for Southeastern Europe were important because they placed the humanitarian issue in a regional context, thereby engaging all the actors and not just UNHCR. Welcome progress had been made in south-eastern Europe and more members of minority groups were returning to Bosnia and Herzegovina and Croatia.

15. There were also concerns in the area of asylum: at times of mass influx, it was difficult to distinguish migrants from those seeking asylum in good faith; and trafficking was on the rise. The European Union attached great importance to the adoption of a convention against transnational organized crime and an additional protocol to prevent, suppress and punish trafficking in persons, especially women and children. It was continuing its work on the harmonization of its members' asylum policies and welcomed the dialogue it had established with UNHCR in that regard.

16. Mr. IBRAHIMI (Islamic Republic of Iran) said that, despite UNHCR's noble contribution in the past 50 years to improving the plight of refugees, it still bore a heavy burden of responsibility and the flow of refugees and asylum-seekers continued to rise.

17. The protection of refugees' rights hinged on the political will and commitment of the international community to strive for fair solutions free from political considerations.

18. International cooperation and burden-sharing had to be promoted in order to meet the challenge. Certain host countries bore a disproportionately large share of the refugee burden, yet lacked the resources to deal with their own national needs. Voluntary repatriation projects also lacked resources, and that hampered preparations for repatriation.

19. In the name of justice, logic and humanity, it was essential to take a fresh look at the problems of durable solutions and international responses to the refugee crisis and at the question of international burden-sharing in order to ensure an objective and purely humanitarian approach. UNHCR, as the body responsible for providing international protection and finding durable solutions, should take the lead in that process.

20. Iran was a major contributor to UNHCR, but, as host to millions of refugees for more than 20 years, it had faced enormous economic, social and security problems and the entire international assistance it received did not cover even one of the four basic needs of refugees for one week. UNHCR and other members of the international community should increase their assistance for refugees in Iran in order to mitigate the adverse economic impact of hosting refugees and provide the necessary resources for voluntary repatriation projects.

21. Iran believed that voluntary repatriation was the best and most durable solution and, while it was ready to cooperate fully with such projects, it called on the international community to engage in development projects in refugees' countries of origin in order to help overcome obstacles to voluntary repatriation, such as economic problems and instability.

22. Mr. TAKASU (Japan) said that his country deplored the recent killings and kidnapping of UNHCR personnel. Such incidents must never be tolerated. Humanitarian work would never be without risk, but those risks must be minimized. Japan supported efforts to reassess the security benchmarks for suspending operations and evacuating from imminent danger and would back the implementation of additional measures to strengthen the security of field personnel. It would contribute a further US$ 1 million for security training, as it had done the previous year.

23. The primary responsibility for the safety of humanitarian workers and for bringing those who harmed them to justice lay with the Government of the host State. Japan urged all States that were not yet parties to the Convention on the Safety of United Nations and Associated Personnel to accede to it without delay. The Executive Committee should also appeal to the United Nations General Assembly to adopt a protocol covering all humanitarian personnel and, pending the adoption of such a protocol, to declare the provisions of the Convention applicable to humanitarian operations in exceptionally dangerous situations.

24. Japan valued the efforts UNHCR was making as part of its core activity of strengthening asylum; it welcomed the proposed "three circles" consultations, in which it would participate actively. UNHCR's emergency preparedness and response capacity must be strengthened and a well-balanced partnership with non-State entities such as NGOs and the private sector must be built. A welcome development was the recent establishment in Tokyo of

the UNHCR Regional Centre for Emergency Training, with funds provided by Japan and with a view to enhancing the capacity of NGO and government personnel in Asia and the Pacific region to deal with emergencies.

25. Humanitarian and development agencies should also focus on post-conflict and long-term needs - an aspect acutely felt, particularly in many parts of Africa. Japan appreciated the High Commissioner's initiative of focusing on the institutional and funding gap between relief and development and would strengthen its post-conflict assistance and the support already being extended to Sierra Leone, Kosovo and East Timor. It would continue to support relevant measures through the United Nations Trust Fund for Human Security, as well as bilateral and other assistance schemes.

26. Humanitarian assistance must be backed by a focus on broader political and economic perspectives as part of the international community's duty not only to seek the early resolution of conflicts, but to prevent their recurrence and engage in peace-building. At the Millennium Summit, the Japanese Prime Minister had emphasized the need to promote human security by building a society in which its most vulnerable members' rights were protected and people of differing ethnic origins, religions and races could live together in peace. Japan would redouble its efforts to that end; it had made support for refugees and internally displaced persons one of the most important pillars of its international cooperation and would maintain its strong support for UNHCR's global operations.

27. Mrs. Ogata had endowed the Office of the High Commissioner with great moral authority, modernized its management and cooperation and made tremendous contributions during a decade of unprecedented difficulty and increasing complexity when refugee problems had increased dramatically. On behalf of Japan's Government and people, he expressed deep appreciation for her significant achievements and immeasurable contribution to the security of untold millions.

28. Mr. GOMIS (Côte d'Ivoire) said that his Government appreciated the valuable work Mrs. Ogata had done during her term of office; he congratulated her and all her staff for the efforts they were making despite so many risks in the field. He was particularly mindful of those who had lost their lives in service and expressed his sympathy for those who had been subjected to kidnapping, including a compatriot, Laurence Sapeu Djeya, who had fortunately been recently rescued; on behalf of his Government, he sincerely thanked UNHCR and all those who had helped to secure her release. His country supported any action taken to protect UNHCR personnel and enable them to carry out their mission in safety.

29. The current annual theme, "UNHCR@50: from response to solutions", provided an opportunity to appraise activities relating to asylum and refugee protection and assistance, with a focus not only on repatriation, but also on cooperation between UNHCR and his country and on international solidarity. Côte d'Ivoire had ratified the 1951 Convention relating to the Status of Refugees and the 1967 Protocol, as well as the 1969 OAU Convention, and was considering the possibility of acceding to the Conventions on the Status of Stateless Persons and the Reduction of Statelessness. His Government was also studying draft legislation on refugee protection. In addition to formal instruments, however, his country had a tradition of accepting refugees in a spirit of brotherhood. Since 1990, it had taken in 400,000 Liberian and 1,900 Sierra Leonean

refugees, in addition to around 1.000 refugees brought from the Great Lakes and elsewhere. Its exceptional policy of integrating refugees with the inhabitants instead of in camps had gained it an OAU award at the summit meeting of Heads of State and Government in Algiers in June 1999.

30. The ecological, economic and social burden of hosting refugees should not be borne by developing countries alone. In that respect, he urgently appealed to UNHCR to continue to play its catalytic role in giving effect to the principle of solidarity. The need for burden sharing was particularly acute with regard to the rehabilitation and integration of Liberian refugees in his country.

31. The spread of conflicts and trouble spots throughout the world made the refugee problem increasingly complex and heightened the need to enhance peacemaking and peacekeeping. A stabilization treaty for West Africa seemed to offer a solution, as would UNHCR's partnership with OAU, IOM and non-governmental organizations. He urgently appealed to the international community to provide technical and financial assistance to enable his country to carry out gender-specific projects, rehabilitate reception areas and provide education for children.

32. Mr. AKRAM (Pakistan) expressed Pakistan's heartfelt condolences to the bereaved families of UNHCR staff members who had recently lost their lives in West Timor and Guinea. His country paid tribute to those who had sacrificed their lives for noble humanitarian missions; it condemned violence against the personnel of UNHCR and other humanitarian agencies and assured the High Commissioner of its fullest cooperation for strengthening the security of UNHCR field staff within its jurisdiction. It also expressed the deepest admiration for the dedicated and heroic leadership of the outgoing High Commissioner during a decade that was supposed to have brought global peace, but instead had witnessed bloody conflicts that had killed and displaced millions, although Mrs. Ogata and her collaborators had helped to save hundreds of thousands of lives and to ease suffering throughout such crises.

33. Despite its initial three-year mandate, UNHCR had sadly become a permanent feature of the international security system, and the ever-growing gap between the challenges it faced and the resources at its disposal was a matter of concern. The greatest lack was in political will, especially on the part of those with the most means. Financial generosity should be accompanied by a long-term focus; responses evoked by the media could be sporadic and thus inadequate and even discriminatory.

34. For over 22 years, Pakistan had hosted refugees from the war in Afghanistan - the world's largest refugee population - and its steadfast application of international asylum standards had caused considerable economic and ecological problems which it continued to bear, international humanitarian assistance having been drastically curtailed since the end of the cold war. Those problems had been exacerbated by the drift of refugees from camps to urban centres in search of work and by the effects of the region's worst-ever drought. It was therefore time for UNHCR to adopt a new budget format in order to allocate special separate refugee budgets, prepared in close consultation with host countries and the donor community, for developing countries with large, almost permanent refugee populations.

35. Pakistan's hosting of Afghan refugees had been widely recognized as exemplary, but Pakistan did not view their integration, advocated in certain quarters, as a viable solution. It endorsed the High Commissioner's emphasis, during a recent visit to the region, on the need for improving dialogue with the Afghan authorities, strengthening presence and activities, allocating more donor resources and responding to the drought problem. Failure to address such urgent matters might lead to further humanitarian crises in the near future.

36. Mr. SANTOS SIMÃO (Mozambique) said that Mozambicans, having long experience of being refugees during the national liberation struggle and the more recent war of destabilization, were witnesses to UNHCR's success. Mozambique had hosted refugees from the outset of its independence and had acceded to all relevant international conventions. In its capacity as a host country and as a result of its close working relations with UNHCR, it could affirm that the work carried out achieved positive results despite the difficulties and continuing challenges. It wholeheartedly saluted the High Commissioner's outstanding leadership and dedication and the efforts of all UNHCR workers, particularly those in the field, who risked life and comfort for the sake of their mission. Mozambique also condemned those who had kidnapped and killed humanitarian workers in West Timor and Guinea and hoped that they would soon be brought to justice.

37. UNHCR officials in the field came into contact not only with ordinary refugees, but with many other people, including parties to conflicts, who could give them a unique insight into situations and even indicate possible solutions. In status and practice, however, UNHCR was a humanitarian agency not publicly perceived as a political organization. It was important for it to maintain that status, but the insights it acquired should not be lost; UNHCR should be able to assist in seeking negotiated solutions to conflicts without losing its impartial image.

38. Mozambique commended the Secretary-General for commissioning the Brahimi report, which was aimed at enhancing the effectiveness of United Nations peacekeeping operations. African nations were deeply concerned, indeed frustrated, by the lack of progress in peacekeeping operations on that continent. The pattern always seemed the same: OAU and regional organizations such as the South African Development Community (SADC) and the Economic Community of West African States (ECOWAS) managed to achieve agreement between the parties to a conflict for a negotiated settlement of disputes, but subsequent delays in providing assistance for peacekeeping operations created opportunities for violations of agreements and even a resumption of conflicts, producing further refugees. The contrast with the prompt deployment of well-equipped military personnel to deal with situations in Europe suggested a double standard, which the Brahimi report offered a good opportunity to address.

39. Refugees required not only shelter and basic assistance, but the prospect of a better future, particularly for children. Of particular concern was the lack of educational opportunities for many refugee children, exacerbated by recent immigration limits in some countries, with the resulting restriction of access to higher education. All countries, rich and poor, should share the refugee burden in a spirit of international solidarity.

40. On the subject of security for field workers, he drew attention to the suggestions he had made during the panel discussion on “promoting and building peace: linking refugee and humanitarian assistance with longer-term development” which had been held prior to the current meeting.

41. The outgoing High Commissioner’s courageous and dedicated leadership would not be easy to replace. The fact that, during the past 10 years, virtually every peace agreement signed had allotted a specific task to UNHCR testified to its prestige and the trust placed in it. On behalf of his country’s people and Government, he congratulated Mrs. Ogata and wished her well.

The meeting rose at 6.10 p.m.

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EXECUTIVE COMMITTEE OF THE PROGRAMME OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES

Fifty-first session

SUMMARY RECORD OF THE 545th MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 3 October 2000, at 10 a.m.

Chairman:	Mr. KHORRAM	(Islamic Republic of Iran)
later:	Mr. MOLANDER (Vice-Chairman)	(Sweden)
later:	Mr. KHORRAM	(Islamic Republic of Iran)

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ANNUAL THEME: UNHCR@50 : FROM RESPONSE TO SOLUTIONS (continued)

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The meeting was called to order at 10.15 a.m.

ANNUAL THEME: UNHCR@50 : FROM RESPONSE TO SOLUTIONS (agenda item 4) (continued) (A/AC.96/938)

1. Mr. NEGROTTO CAMBIASO (Italy) said that Italy supported the statement made by the representative of France on behalf of the European Union and congratulated the High Commissioner, Mrs. Ogata, whose wise guidance had enabled UNHCR to help millions of refugees to return home. It was aware that resolving a humanitarian crisis required more than the cessation of hostilities and the return of displaced persons, and was firmly committed to reconstruction projects, inter alia, in the Balkans and Somalia. The transition phase between emergency assistance and development required concerted efforts by all the actors involved and, above all, an effective contribution by regional organizations.

2. With regard to international protection, Italy firmly supported the process of global consultations that the High Commissioner had recently launched to promote the effective implementation of the 1951 Convention and the 1967 Protocol relating to the Status of Refugees, which were the foundation of the international refugee regime. As for the pressing financial problems mentioned by the High Commissioner, Italy would soon be in a position to review its financial support to UNHCR for emergency response. Lastly, he deplored the recent tragic events in West Timor and Guinea and assured the High Commissioner of his Government's determination to help the international community guarantee the security of humanitarian personnel.

3. Mrs. KUNADI (India) paid tribute to Mrs. Ogata, whose work at the head of UNHCR had been marked by outstanding achievements in the face of especially trying circumstances. In that respect, the recent killing of UNHCR officials was a brutal reminder of the grave risks faced by dedicated humanitarian officials. In her Government's view, their protection was the responsibility of the States in which they operated. If necessary, assistance should be provided to countries which needed it in order to strengthen their security forces.

4. With regard to the theme for the current session, the document prepared by the secretariat (A/AC.96/938) was highly interesting in that it posed a fundamental question, namely, why the refugee problem, which had been regarded in UNHCR's earlier days of activity as temporary and regional, had become constant and worldwide. Her Government felt that two factors had contributed to the situation: on the one hand, poverty and the many consequent conflicts and, on the other, flagrant disregard of the values of tolerance and pluralism. Those were the factors that had led to the grave refugee crisis suffered by India and referred to in paragraph 10 of document A/AC.96/938. In that regard, her delegation stressed that the crisis had not been caused by the conflict between India and a neighbouring country; for the sake of historical truth, it should be noted that the refugees had fled to India because of atrocities committed against them by their own Government, well before the December 1971 conflict.

5. On the subject of solutions, her delegation welcomed the secretariat's proposal that the developing countries' capacity to readmit their citizens should be enhanced by encouraging development initiatives and linking humanitarian assistance to longer-term development. All the

evidence showed that prevention and peace-building were the international community's most fruitful approach, particularly in the developing countries. Her Government would like to see more focus on that aspect in future. But it was important for UNHCR to keep to its humanitarian mandate and avoid involvement in problems of an essentially political nature.

6. It had to be recognized that it was predominantly the developing countries that constituted countries of origin and as well as of asylum. Several of them had fulfilled their responsibilities admirably, often putting their environment, economy and social fabric at risk. On the other hand, countries having the means as well as the duty to provide asylum and protection pursued restrictive policies such as expulsion and premature returns to countries that were still unsafe. Her Government, for its part, had taken in large numbers of refugees, whose hosting it financed entirely from its own resources. However, it did not share the view that the way to solve conflict crises was for States to accede to various conventions and protocols. India was not a signatory to the 1951 Convention because the Convention did not address the many problems caused by massive refugee flows. Lastly, she called on the international community to carry on the age-old humanitarian tradition of providing assistance and succour to people in distress.

7. Mr. KHATIB (United Republic of Tanzania) expressed his delegation's deepest sorrow at the recent murders of UNHCR officials. He congratulated the secretariat on the quality of the document dealing with the annual theme (A/AC.96/938) and fully supported the ideas expressed therein. It had to be said that, 50 years after the creation of UNHCR, the international community had not yet managed to eradicate the root causes of population displacements. Environmental degradation and deteriorating security in host countries made the latter reluctant to open their borders to refugee masses fleeing conflict and ethnic tension. Nevertheless, the United Republic of Tanzania, true to its tradition of hospitality, continued to receive refugees despite limited international assistance. In that regard, the local population in reception areas needed assistance in order to strengthen the institution of asylum, thus ensuring refugee protection. For that reason, his Government welcomed UNHCR's decision to hold consultations among all stakeholders with a view to revitalizing the protection regime.

8. The traditional solutions to refugee problems - voluntary return, local integration and resettlement in third countries - remained entirely valid; even so, the international community should create sustainable development programmes in countries of origin as a way of ensuring that return was permanent. Those countries, for their part, should put an end to hostilities and thus create a favourable climate for the return of their nationals. In that regard, he called on the international community to give its support to Mr. Mandela, the mediator in the Burundi peace process, since, once peace had returned to that country, the problem of refugees in the Great Lakes region would be partly resolved.

9. Sadly, double standards seemed to be applied in the provision of resources for the maintenance of refugees in various parts of the world. The quality and quantity of resources made available in certain regions were nothing compared to those received in others, although the problems of all were equally grave. In conclusion, he expressed gratitude to Mrs. Ogata for her tireless efforts on behalf of refugees in the United Republic of Tanzania and elsewhere.

10. Mr. RUDDOCK (Australia) said that, true to its tradition of hospitality and mindful of the contribution of refugees to its development, his country was more than ever resolved to fulfil its obligations under the 1951 Convention and the 1967 Protocol. The international protection regime was currently affected by a multitude of problems (globalization, disparity in economic and social development levels, the changing nature of conflicts, terrorism, traffic in persons and so on) and was at a crossroads. Although requirements were constantly growing, the resources available to meet them were inadequate. On that subject, Western countries were spending $10 billion each year on determining refugee status for half a million asylum-seekers, of whom only a small percentage were refugees. One tenth of that amount could easily suffice to double the UNHCR budget; the resources thus released would be used to assist countries which agreed to receive refugees despite their often limited economic means and the low tolerance of their environment. At the same time, the international community ought to combat the many forms of smuggling that directly threatened the refugee protection system.

11. The Office of the High Commissioner needed clear guidelines from States. In its current format, the Executive Committee was too unwieldy for frank debate and problem-solving. Australia therefore urged support for new mechanisms and structures. The members of the Executive committee should have the courage to exploit the diversity of views rather than dwell unduly on the difficulties of consensus-building. The consultations proposed by UNHCR would provide an opportunity to adopt the bold and ambitious reforms necessary if a fairer, more effective protection system was to be achieved.

12. Mr. HEINEMANN (Netherlands) said that his delegation fully associated itself with the statement made by the representative of France on behalf of the European Union. The 1951 Convention continued to be of paramount importance and the principles of that universal instrument should be the basis of any new approach to refugee protection. His Government was in favour of organizing world consultations in which all topics would be raised, including illegal and economic migration, trafficking in human beings and the plight of displaced persons. Disparities in economic development, civil strife and inter-ethnic conflicts were currently creating massive displacements of people and a distinction should be made between genuine asylum-seekers and those migrating for other reasons. The abuse of asylum procedures posed a very heavy burden on transit and host countries, making Governments and peoples ill disposed to welcome refugees to their country or neighbourhood.

13. Refugee protection, UNHCR's prime mandate, should continue to be its main focus of activity. In order to carry out that mission, UNHCR needed adequate financial resources. The Netherlands, for its part, would staunchly provide financial and all other forms of support for UNHCR's tasks. Other humanitarian actors should contribute in a spirit of coordination and cooperation, avoiding fruitless bickering. In conclusion, he paid tribute to Mrs. Ogata for her devotion to the cause of millions of refugees and displaced persons around the world.

14. Mr. TSAÏ (Canada) expressed his country's indignation at the killing of UNHCR officials in West Timor and Guinea; his Government felt that the perpetrators of such deeds should be brought up before the courts. Canada supported UNHCR and collaborated with it in seeking the best possible solutions to the complex problems faced by refugees and displaced persons; it responded readily to the appeal launched by the High Commissioner for global consultations to revitalize the refugee protection system.

15. Numerous conflicts, more or less throughout the world, had caused huge population movements, making any programme of repatriation, integration or resettlement impossible. Because of globalization, several countries had had to take in a growing number of asylum-seekers and were faced with the hard task of distinguishing genuine refugees from illegal migrants. In addition, criminal groups were organizing large-scale displacements of persons to countries such as Canada, which had therefore enacted new legislation aimed at preventing criminals from abusing the procedure for determining refugee status, while increasing opportunities for asylum-seekers. Strategies should be drawn up, in partnership with UNHCR and all States involved, with a view to strengthening the institution of asylum, improving the links between humanitarian assistance and development and promoting peace.

16. To provide assistance and protection was not enough; it was up to the international community to make a political commitment to combat the root causes of refugee crises. For its part, UNHCR should bear in mind the need for accountability to donors, member States and refugees. It should adopt more transparency in defining priorities for resource earmarking and budgeting. The programme and budget should reflect a better balance between protection, care and assistance. Canada also hoped that a policy of sex equality would be coherently applied and maintained throughout the range of UNHCR programmes and in its human resources management.

17. Mr. WEISS (Austria) welcomed UNHCR's arrangements for global consultations to strengthen the refugee protection regime. The Hungarian crisis in 1956 and the resultant swift and massive exodus of 200,000 refugees, mainly into Austria, had been the first major crisis UNHCR had had to face and the first example of partnership with other key actors such as ICRC, the Austrian Red Cross and other non-governmental organizations. Over 50 years, 1 million persons had sought and found refuge on Austrian soil. Former refugees and their descendants currently accounted for some 10 per cent of the population and made a valuable contribution to Austrian society. In addition, roughly 1 per cent of Austria's current population consisted of former refugees from Bosnia and Herzegovina. During the past year, Austria had also participated in the humanitarian evacuation programme in Kosovo.

18. On behalf of the Chairperson in office of the Organization for Security and Cooperation in Europe (OSCE), he said that the cooperation between that organization and the United Nations system was an excellent example of the implementation of the provisions of Chapter VIII of the Charter. One of the priorities of the Austrian presidency had been to lay the foundation of a global strategy for migration management, involving various participants, including UNHCR. Collaboration in the field with UNHCR, IOM and the Council of Europe had developed, over the years, into a strategic partnership. The Austrian presidency had extended the scope of that cooperation in the context of the regional CIS Conference process to address the problems of refugees, displaced persons, other forms of involuntary displacement and returnees in the Commonwealth of Independent States and relevant neighbouring States.

19. Ms. KLINGVALL (Sweden) welcomed the consultations which were to be held with a view to revitalizing the international refugee protection system and which should also strengthen the institution of asylum. The point of departure should be the full application of the 1951 Convention and the 1967 Protocol. The refugee definition in the Convention should be

so interpreted as to include persons persecuted by non-State agents; areas not covered by the Convention should also be addressed. The right to asylum and the principle of non-refoulement in particular should not be challenged. In that context, her Government attached great importance to continued dialogue between UNHCR and the European Union on migration, asylum and refugee assistance.

20. Since mass forced displacement was no longer an exception, a comprehensive, coherent response was required to humanitarian problems. Particular emphasis should be placed on women and children in building peace. With regard to conflict prevention, a priority in Sweden's foreign policy, UNHCR could contribute to preventing human suffering, protecting humanitarian assistance activities and influencing parties to conflicts not to violate international humanitarian law. Insecurity was the plight of millions of refugees and displaced persons, even once they were away from the scene of conflict, and it was important to reaffirm the responsibility of States to uphold the security of refugee camps.

21. During its presidency of the European Union in 2001, Sweden would give priority to child victims of violent conflicts and population displacement. In March, it would host a conference on that theme. Her delegation congratulated the High Commissioner for having established a refugee educational trust, the education of refugee children being essential.

22. She emphasized that UNHCR needed to have sufficient resources. It was up to all donors, of whatever category, to ensure that the budget approved by the Executive Committee was appropriately funded.

23. Mr. DEMBRI (Algeria) said that the document on the annual theme (A/AC.96/938) showed what major issues still had to be faced with regard to strategies for humanitarian action in order to meet the unforeseen challenges of a multidimensional humanitarian crisis which, in many respects, went beyond the terms of UNHCR's mandate. Questions of law were doubtless paramount in that regard and applicable to all phases of the process of solving problems of refugees, displaced persons and returnees, but they must not fail to take account of or obscure the objective causes of the phenomenon of exile. Because of the destabilization caused by regional crises, host and transit countries, mostly countries of the South, had less and less room for manoeuvre as flows of refugees and displaced persons increased. Development assistance measures were essential and should be strengthened and sustained if the causes of population exodus and displacement were to be removed and the post-conflict situation of countries stabilized.

24. His delegation believed that international action must be guided by moral principles based on solidarity and burden-sharing. It supported the establishment of partnership arrangements between UNHCR and various humanitarian actors for joint action to deal with emergencies - a prerequisite for preventing the intervention of non-humanitarian actors. From its experience as a host country, Algeria believed that Africa was a striking example of the world's humanitarian crises and of the "humanitarian fatigue" syndrome arising from the never-ending phenomenon of refugees and displaced persons. In order to deal with the problems faced, it proposed a drive to promote peace and security, combat the arms trade, seek and consolidate regional and international partnerships for humanitarian assistance, maintain and expand aid

programmes with better targeted action and measures more appropriate to development in the region concerned and strengthen national capacity to deal with the many challenges of socio-economic development and democratization.

25. In collaboration with the Governments of the countries of origin and relevant United Nations institutions, Algeria had been able to contribute to the voluntary return of refugees from Mali and Niger in 1998. It was also providing assistance to Sahrawi refugees and believed that the self-determination of the Sahrawi people continued to be a fundamental cause which called, now more than ever, for the mobilization and help of the entire international community. Algeria would work unceasingly to further the just cause of the voluntary repatriation of Sahrawi refugees and remind United Nations bodies of their responsibilities in that regard.

26. Mr. SUNGAR (Turkey) said that the term of office of Mrs. Ogata, to whom he paid tribute, had been marked by some outstanding achievements. The problems of refugees, displaced persons, irregular immigration and asylum-seekers nevertheless called for the strengthening of the international protection system. He therefore welcomed UNHCR's proposal for global consultations with a view to reaffirming the centrality of the 1951 Convention. The implementation of the humanitarian principles underlying the protection system should be spelled out and the term "refugee" more clearly defined. It was of the utmost importance to distinguish genuine refugees from economic migrants. And it was essential, in order to prevent abuses of asylum procedures, to lay down principles and rules for an effective exclusion mechanism which would further enhance the international protection system. Responsibility-sharing was also a question deserving special attention. The international community must find ways of helping countries, particularly developing countries, to deal with the problems of hosting refugees.

27. In his delegation's view, only an objective approach to the legitimate concerns of all parties involved in population displacement issues could guarantee progress towards an international protection system. Humanitarian action alone could not solve fundamental social, economic and political problems that could lead to population displacements. The international community must intensify its efforts to prevent and settle conflicts, as well as build peace, while upholding and protecting human rights.

28. Mr. BRYLLE (Denmark) reaffirmed the importance his country attached to the work of UNHCR, which played a unique, indispensable role not only in the United Nations system, but in the humanitarian field in general. The number of people in need of UNHCR's protection and assistance was constantly increasing and the parties to violent conflicts were tending more and more to flout humanitarian principles, without regard for the lives of humanitarian workers, who should therefore be provided with the necessary legal protection.

29. The growth in the number of asylum-seekers and migrants from developing countries was indeed liable to result in the adoption of more restrictive measures. In the field of humanitarian assistance, UNHCR's experience, especially in Kosovo, underlined the need to strengthen response and coordination capacity to deal with complex emergencies. His delegation supported the important work being done in that regard, and welcomed UNHCR's collaboration with other organizations in favour of displaced persons. In its view, UNHCR had an extremely

important role to play, not only in protecting people, but also in conflict prevention and peace-building. For reasons of efficiency and budgetary restrictions, UNHCR should refocus its action on its core mandate, involve other actors in carrying out its tasks and make better use of local resources.

30. His country would continue to be a major donor to UNHCR, but stressed the need for a more equitable and stable basis for its financing. UNHCR also cooperated closely with Danish non-governmental organizations, particularly the Danish Refugee Council. Denmark itself had accepted a large number of refugees, including a quota under resettlement programmes.

31. Since UNHCR would have a highly important future role, his delegation was pleased that it would hold global consultations in order to strengthen the international protection system on the basis of the 1951 Convention.

32. Mr. BUTIIME (Uganda) said that the international community's response to mass refugee flows caused by violent conflicts had not been the same for all regions and the African continent had received the least. He thanked Mrs. Ogata for her tireless efforts to ensure that the plight of African refugees remained a priority. All refugees should receive equitable assistance regardless of nationality, race and geographical, military or political importance. An equitable response to refugee problems was essential not only for strategic reasons deriving from security and political, economic and environmental problems, but also on humanitarian grounds stemming from the obligation to assist refugees and protect their rights, coupled with measures to deal with "impunity". In the Great Lakes region, the refugee problem could not be separated from the larger issues. Uganda was therefore fully committed to the implementation of the Lusaka Accords, which could pave the way for a durable solution to refugee problems and provide peace and security for all countries in the region.

33. His delegation believed that voluntary repatriation was the best solution, followed by local integration of refugees. For that reason, his Government, while encouraging the self-sufficiency of refugees, also addressed the development needs of the local host communities. It was therefore unfortunate that UNHCR had substantially reduced its funding of the Ugandan programme, for that would have a definite negative impact on the refugee situation.

34. It should be borne in mind that the developing countries, especially the least developed, had made enormous efforts, but could no longer cope with refugee problems. Uganda, for example, had even made land available for refugees to cultivate, but, if international support was lacking, all such efforts were liable to be to no avail. His delegation endorsed the objectives announced by the High Commissioner, but stressed that, if they were to succeed, UNHCR must have sufficient resources and a well-motivated staff. In that regard, member States had a duty to ensure the security of humanitarian workers.

35. Mr. JOHANSEN (Norway) said that most of the humanitarian emergencies during Mrs. Ogata's term of office had been caused by internal conflict and complicated by a lack of access or security. UNHCR was more essential than ever and the 1951 Convention and the 1967 Protocol relating to the Status of Refugees must remain the cornerstone of international refugee protection. Since most current population movements took place within national

borders, however, means for better protection of displaced persons must be found and effective measures provided against human trafficking and other forms of persecution. Global consultations, which UNHCR intended to conduct and would provide an opportunity to address all such issues, must lead to a further strengthening of the international protection system.

36. Humanitarian assistance must be accompanied by political and confidence-building measures; it must be founded on impartiality and humanitarian workers should have fully secured access to those in need - a condition far from being respected. The United Nations system and the Government of Member States must adopt measures to strengthen security and protect humanitarian workers. UNHCR's experience in Kosovo had illustrated the need for improved preparedness for emergencies; his delegation was ready to contribute to the programme prepared for that purpose.

37. Mr. GERBER (Switzerland) expressed his revulsion at the brutal murder of four UNHCR workers and called on the international community to provide further means to guarantee the security of humanitarian personnel. He reiterated that refugee protection remained UNHCR's core mandate and that the 1951 Convention would continue to be the best framework for that purpose. Nevertheless, the sizeable flows of opportunist migrants which tended to abuse refugee status made it essential to draw up a satisfactory definition of persons in need of protection. Switzerland therefore welcomed the global consultations to be undertaken by UNHCR with a view to strengthening the protection system and agreed with the "three circles" idea put forward at the meeting of the Standing Committee. It would support all initiatives taken by the High Commissioner, including, if so decided, the holding of an intergovernmental event to commemorate the fiftieth anniversary of the Convention. Lastly, he fully supported the integrated strategy which had been announced at the recent Economic and Social Council meeting in New York and which linked humanitarian action, development and prevention. Switzerland welcomed the action taken by UNHCR to promote post-conflict reconstruction and would renew its contribution to the Office in 2001.

38. Mrs. VALLE PEREIRA (Brazil) paid tribute to the competence of Mrs. Ogata and assured her of the importance the Brazilian Government attached to the appointment of a worthy successor. The Brazilian Government roundly condemned the killing and kidnapping of UNHCR workers in West Timor and Guinea and called on all Governments to spare no effort to ensure the protection of humanitarian personnel, including ratifying, as Brazil had done during the Millennium General Assembly, the Convention on the Safety of United Nations and Associated Personnel.

39. During the 50 years of its existence, UNHCR had made a decisive contribution to peace and stability. It should pursue its activities, even though the environment in which it worked had become increasingly complex. The nature of conflicts had changed, creating new flows of refugees and asylum-seekers hard to distinguish from ordinary migrants, and the number of contributors to refugee assistance had multiplied. There were nevertheless some encouraging signs. The United Nations Transitional Administration in East Timor had been playing a remarkable role in building an institutional framework so that East Timor could accede to independence within the scheduled time-frame. In South America, the picture was generally favourable. In Brazil itself, the Government and UNHCR had been strengthening an already

solid partnership and, during its current presidency of the Common Market of the Southern Cone, the Government had initiated negotiations aimed at harmonizing national legislations with regard to refugee assistance.

40. Mr. BURUSAPATANA (Thailand), paying tribute to the UNHCR officials who had lost their lives in West Timor and Guinea, recalled that his country was hosting over 100,000 refugees from Myanmar on its territory, in 10 temporary shelters protected from any armed intrusion and receiving assistance from a number of Thai and international non-governmental organizations, as well as UNHCR assistance since 1998. Hosting the refugees had not been without cost to the country, which already had to cope with the presence of nearly 1 million illegal migrant workers from Myanmar. For over 15 years, those persons had been living in supposedly temporary shelter and it was more than time for the international community, represented by UNHCR, to help them to return to their country in safety and with dignity. On behalf of Thailand, he called on UNHCR to establish a dialogue as speedily as possible with the Myanmar authorities so as to prevent further refugee flows and organize the return of those already beyond its borders. In addition to the 100,000 refugees, over 2,000 students from Myanmar had been residing at the Maneeloy Student Centre for nearly a decade. He expressed his appreciation to certain countries which had offered to receive some of them and provide them with proper training and hoped that other countries would do likewise so as to share the international burden more evenly. The year 2000 marked not only the fiftieth anniversary of UNHCR, but also the twenty-fifth anniversary of cooperation between it and Thailand, an event which would be commemorated by the organization of a round table of eminent persons in Bangkok in November 2000.

40 bis. Mr. Molander (Sweden), Vice-Chairman, took the Chair.

41. Mr. Man Soon CHANG (Republic of Korea) said that his Government supported UNHCR's readiness to reaffirm, on the one hand, the principles of the 1951 Convention as the universal foundation of the international refugee protection regime and, on the other, to seek new approaches, including the launching of global consultations, to deal with situations not covered by the Convention. Such consultations would have to take into account the complexity of current population flows and seek a balance between humanitarian considerations and host countries' concerns. His country, a new member of the Executive Committee, was ready to work closely with UNHCR and fully supported any concrete proposal to enhance the security of humanitarian personnel. He welcomed the Secretary-General's recommendation for the broadening of the scope of legal protection provided under the Convention on the Safety of United Nations and Associated Personnel, which his country had already ratified.

42. Mr. BEN SALEM (Tunisia) said he was struck by three constants of refugee problems: their universality, their permanence and their diversity. He urged UNHCR to strengthen its ties of cooperation with other bodies involved in safeguarding human rights and with non-governmental organizations campaigning against human rights violations - one of the main causes of refugee flows - as well as with countries everywhere, for refugee protection, since the task was so immense that it required world solidarity. He reiterated the Tunisian authorities' support for the Office's activity around the world and particularly in Africa, which depended greatly on international solidarity.

43. Mr. MAC AODHA (Ireland) said that his delegation shared the grave concern about the security risks faced by humanitarian workers. It had examined with interest the relevant proposals submitted in July 2000 and agreed that the document listing those proposals should be updated and re-examined. It also welcomed the High Commissioner's confirmation of the early resumption of the "Brookings Process" and the projects to evaluate its activities in Kosovo and other regions, as well as the proposed structural reforms.

44. Ireland recognized the budgetary problems faced by UNHCR. While supporting a realignment of priorities in budgetary planning, the Irish authorities would closely study the information provided by the High Commissioner about the lack of resources and hoped to be in a position to respond positively to the appeal, as it had done in 1999. Ireland's contribution to UNHCR had grown steadily over recent years and the Irish Prime Minister had recently announced to the General Assembly his country's firm commitment to reach the target of 0.7 per cent of GNP in its overseas development aid programme by the end of 2007. Ireland unconditionally supported UNHCR, particularly with regard to its long-term activities, in regions where problems persisted even though they might have slipped from media attention, including West Africa, southern Africa and the Great Lakes region, East Timor, where Ireland would shortly open a liaison office, Nepal and the former Yugoslavia. On the issue of protection for humanitarian personnel, he welcomed the recently launched global consultation process and the proposed consideration of the concentric circles model, on which he hoped to be able to provide a preliminary response at a later meeting. Lastly, he paid tribute to Mrs. Ogata for the commitment she had shown and her tenacious will to increase the world's awareness of the refugee problem.

45. The Reverend Father BLUME (Holy See) said that putting an end to the tragic situation of refugees and displaced persons required global action at the political, economic, military, legal and humanitarian levels. Such action must be based on a firm moral commitment since the challenge was not simply to guarantee the security of such persons, but to restore their dignity. In that sense, UNHCR's work was among the noblest that mankind had ever undertaken.

46. Countries were increasingly being prevented, however, from fulfilling their international refugee protection obligations; either they lacked the financial means or they had conflicting political or economic priorities, which at times led them to put a restrictive interpretation on international instruments or other relevant texts relating to refugees.

47. Efforts must be made in the next millennium to reverse that trend and put solidarity back in evidence. That objective should be pursued by measures such as reaffirming the principles of the 1951 Convention relating to the Status of Refugees, monitoring decisions relating to basic human rights and seeking of means to strengthen international cooperation on the issue of refugees who were still awaiting repatriation. A stronger moral commitment by political leadership should likewise be fostered by disseminating information on the plight of refugees in host and resettlement countries, through the media, schools and religious institutions.

48. Mr. RAMEL (Philippines) said that, for a durable solution to refugee problems, the international protection system must be strengthened and States should be encouraged to face up to their responsibilities in that regard by promoting respect for the 1951 Convention, taking in refugees on their territory or providing a financial contribution to the relevant programmes. An

effective partnership should be set up between government departments and various actors of civil society. The security of humanitarian personnel in areas where refugees were located should also be strengthened through improved inter-State cooperation and by providing host countries with sufficient funds. Humanitarian assistance should be linked to long-term development and a culture of peace should be fostered, an objective to which UNHCR could contribute through the performance of its core mandate.

49. For 50 years, UNHCR had been expanding its collaboration to strengthen its capacity for action and broaden the scope of the international protection system. In view of the current complexities, however, it needed to strengthen its emergency response capacity and modernize its management system, at headquarters and in the field.

50. Lastly, he congratulated Mrs. Ogata on her stewardship of the Office over the past 10 years and reiterated his country's commitment to the principles of the Convention and to the work of UNHCR.

51. Mr. CHOWDHURY (Bangladesh) said that UNHCR's sphere of action had grown in line with the emergence of new demands and the growing complexity of humanitarian crises. But the principles of refugee protection were being applied ever more restrictively in some countries, in some cases even with no justification. The developing countries, meanwhile, continued to bear the heaviest burden of hosting refugees. He therefore called on all States to show solidarity by contributing to the needs of refugees and host countries. In the same spirit, he appealed to the Government of Myanmar to speed up the return of its nationals, many of whom were still living in Bangladesh as refugees.

52. There were certain important principles providing that refugee action should aim to bring about voluntary repatriation, meet the needs of the most vulnerable sectors and prevent further movements of people by dealing with the social, economic, ethnic and political factors that caused them. Effective partnership among the various humanitarian actors was essential and UNHCR should be provided with adequate regular resources. Measures should be adopted to strengthen the security of humanitarian personnel.

53. Mr. KNOTHE (Poland) said that his delegation appreciated the judgement reflected in Mrs. Ogata's opening statement. The fiftieth anniversary of UNHCR was a time for reflection about the problems that still existed and also one for taking pride in UNHCR's accomplishments. He strongly condemned the killings carried out in West Timor and Guinea and called for enhanced security for humanitarian personnel. UNHCR could not fulfil its mandate without the partnership of all States, which had an obligation to accept refugees pursuant to the 1951 Convention and 1967 Protocol, whose ratification should be universal.

54. In order to implement the principles embodied in those instruments and European refugee law, Poland had enacted new legislation in that field and had set up an independent Refugee Board, where asylum-seekers could apply for a review of administrative decisions by an independent agency. A new alien's law should also be adopted shortly. In Poland, as elsewhere, the offices that considered asylum requests had an excessive workload because of the increase in requests from individuals who clearly had no valid claim to refugee status. The phenomenon

was damaging the operation of the international protection system, which had likewise been affected by new patterns of conflict, the unprecedented growth in internal displacement and the increase in human trafficking. The global consultations which UNHCR proposed to start would therefore come at just the right time.

55. Mr. BLOKHIN (Russian Federation) said that the complex nature of current crises and the scale of recent population movements showed that the refugee problem was a matter of national, regional and international security. To attack the problem at its source, however, States and international organizations must take concerted political, socio-economic and humanitarian action. UNHCR's proposed global approach and the importance it attached to prevention were therefore welcome.

56. The Russian Federation intended to assume its responsibilities with regard to refugees in its territory and had taken an active part in the efforts made by the international community and UNHCR in the country on behalf of human rights and refugees. It nevertheless needed continued international assistance in accordance with the principle of international solidarity provided for in the final document of the regional Conference, held in Geneva in 1996, to address the problems of refugees, displaced persons, other forms of involuntary displacement and returnees in the countries of the Commonwealth of Independent States and relevant neighbouring States. In that regard, he welcomed the decision, taken at the fifth meeting of the Steering Group of that Conference, to extend the conference process by five years and was pleased that the decision had been broadly supported by the States concerned, international humanitarian agencies and non-governmental organizations.

57. As UNHCR had noted on several occasions, the Russian Federation was still in a very difficult situation and the assistance it received covered but a bare minimum of its needs. It therefore welcomed the decision for an inter-agency appeal for the Northern Caucasus in the first half of 2001 and thanked Mrs. Ogata for the assistance provided to the victims of anti-terrorist operations in the Republic of Chechnya. As a result of measures adopted by the authorities, the situation in the region should be returning to normal, thus paving the way for the return of refugees and enabling UNHCR to work in Chechnya itself.

58. In a more general sense, the task of resolving the problems of refugees and displaced persons should be part of a broader task of preventing crises and consolidating civil society. The process of consultation on international protection problems was therefore welcome. UNHCR should not, however, seek to broaden its mandate, but should continue as the "lead agency" in the field whenever a large-scale population movement occurred - a role for which its principles and methods of operation were designed. The UNHCR leadership should also continue the efforts being made to improve the Office's internal functioning and maintain its neutrality while continuing to observe the principle of non-interference in the domestic affairs of sovereign States.

59. Lastly, he deplored the proliferation of acts of premeditated violence against staff members of the United Nations and other humanitarian organizations in the exercise of their duties.

60. Mr. LEVY (Israel) said that the current session was a time to consider the plight of societies at times torn apart, but trying to live together and being helped by courageous individuals ready to risk their own lives to help their neighbours, as had unfortunately recently been seen in West Timor and Guinea.

61. He expressed his thanks to Mrs. Ogata, stressing the quality of her opening speech and the determination with which she had sought solutions to complex new problems.

62. The issue of refugees was of paramount concern to Israel, since they made up almost half its total population. The country had always had an outstanding tradition as a haven, as demonstrated in recent years by the arrival of over 1 million immigrants from the former Soviet Union and Ethiopia, as well as many refugees from Viet Nam, Kosovo, Bosnia, Albania and Chechnya.

63. In May 2000, Mrs. Ogata had paid a visit to Israel, something no previous High Commissioner for Refugees had done, and had met with senior officials and persons responsible for handling refugee issues. Since then, UNHCR's role had been better understood and appreciated by the people and the situation should be improved even further by the establishment of a national body to consider asylum requests, which should enhance the implementation in Israel of the principles of the 1951 Convention.

64. Israel had also taken in 6,000 persons from South Lebanon since its unilateral withdrawal from the region. Although not all of them were expected to remain in the country, they had all benefited from the administrative and material facilities ordinarily earmarked for persons having refugee status. Not content with receiving refugees in large numbers in the country, Israel contributed to assistance programmes around the world and made available its skills in the areas of infrastructure, medicine and agriculture.

65. Mr. Khorram (Islamic Republic of Iran) resumed the Chair.

66. Mr. QIAO Zonghuai (China) congratulated Mrs. Ogata on her comprehensive introductory statement and recalled that she had done an enormous amount of work on behalf of refugees. He associated himself with previous speakers' expressions of appreciation.

67. The time was ripe for UNHCR to review the nature of its mandate in the light of its 50 years of experience and to draw lessons from past successes. In view of the drastic changes currently taking place in the world and the spread of regional, ethnic and national conflicts, expectations of UNHCR were greater than ever, but, if it was to grow in effectiveness and importance, as was hoped, it must seek to strengthen its cooperation with Governments, adhere strictly to its Statute and comply with the instructions it received from the General Assembly. According to its Statute, it should intervene only with the approval of the Governments of the countries concerned, since States were first and foremost responsible for the situation of refugees. It must also ensure at all times that its activity was entirely non-political and related only to groups or categories of refugees.

The meeting rose at 1.05 p.m.

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Fifty-first session

SUMMARY RECORD OF THE 546th MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 3 October 2000, at 3 p.m.

Chairman: Mr. KHORRAM (Islamic Republic of Iran)

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ANNUAL THEME: UNHCR@50: FROM RESPONSE TO SOLUTIONS (continued)

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The meeting was called to order at 3.20 p.m.

ANNUAL THEME: UNHCR@50: FROM RESPONSE TO SOLUTIONS (agenda item 4) (continued) (A/AC.96/938)

1. Mr. NOIRFALISSE (Belgium) said that no effort was too great to ensure the security of humanitarian workers. In that regard, the speedy ratification of the Statute of the International Criminal Court was important. Belgium's Prime Minister had called for a concerted approach to the problems of asylum and immigration, inter alia, through European Community institutions, in which UNHCR and the Convention relating to the Status of Refugees should play a vital part. Belgium had been one of the architects of the Convention and had supported UNHCR activities domestically and throughout the world. Its authority in matters of protection was of the highest. Cooperation between the Belgian General Commission for Refugees and Stateless Persons and UNHCR was particularly valuable.

2. Belgium's foreign policy focus on poverty eradication, sustainable development and the defence of human rights had been further stressed by the Deputy Prime Minister of Belgium, speaking recently in New York. In that context, Belgium supported the idea of a consultation process designed to revitalize the idea of protection. The coming year, the fiftieth anniversary of the Convention, had also been designated the Year of Dialogue among Civilizations by the United Nations. Belgium, which would hold the presidency of the European Union during that year, would take the opportunity to give effect to the recommendations on asylum, migration and development cooperation made at the Tampere Summit. The Deputy Prime Minister had also stressed the need to mobilize the international community to deal with the situation in Central Africa; Belgium would continue to support efforts in that region.

3. Belgium was aware of the budget problems faced by UNHCR, which would have to plan its activities according to the resources available to it. With regard to contributions, moreover, greater attention to forecasting was required. On that subject, the Belgian Secretariat for Development Cooperation had drawn up, together with UNHCR, a framework agreement putting Belgium's voluntary contributions on a four-yearly basis. The Belgian authorities were satisfied with the methodology UNHCR had followed in the past two years for improving its programme reporting cycle.

4. Mr. MOUSSA SOLANO (Observer for Guinea) conveyed the appreciation expressed by Guinea's Head of State, General Conte, to Mrs. Ogata for the remarkable work which she had done during her term of office and which had benefited the Government and people of Guinea, as well as the refugees there.

5. For 11 years, armed conflict in the region, particularly in Liberia and Sierra Leone, had led to growing numbers of refugees; over 1 million had benefited from asylum and traditional hospitality in Guinea, where everything possible had been done to ease their suffering and distress. But such a prolonged, large-scale presence had had adverse environmental, economic, physical and social effects, exacerbated at times by cross-border incursions by armed insurgents, often disguised as refugees. Since 1993, Guinea had been suffering from such incursions and from the killings, property destruction, plundering and livestock rustling that had made large sections of the Guinean population homeless and impoverished. Many of those responsible were

RUF insurgents and groups from Liberia and other countries. In the past month alone, there had been over 200 deaths; the victims had included Mr. Mensah Kpognon, head of the UNHCR office in Macenta prefecture. Another UNHCR official working in Côte d'Ivoire, Mrs. Laurence Djéya, had been kidnapped in Guinea and later released in Monrovia, thus implying Liberian Government involvement. The Guinean Head of State and the Government expressed their deepest regrets to the High Commissioner for such tragedies. As the Executive Director of WFP had said, all States or individuals who deliberately committed such barbaric acts should be liable to economic and criminal sanctions imposed by the international community.

6. Despite its limited resources, the Guinean Government continued its efforts to alleviate the victims' suffering. Such efforts included an awareness campaign and close contacts throughout the national territory, especially in refugee areas. Refugees and Guineans alike continued to suffer from armed incursions; several dozen refugees had been killed in a recent attack on a camp carried out by drugged gangs, whose leaders were obviously determined to discourage international humanitarian efforts in the region and were violently opposed to peace and development. The Guinean Government nevertheless remained committed to all international instruments relating to the rights of refugees and stateless persons and would continue to provide protection for those on its soil, particularly those who had fled from Liberia and Sierra Leone. Its lack of resources continued to be a major concern, however, and it therefore appealed for continued assistance, particularly with regard to security, and hoped that the measures outlined by the High Commissioner in her opening statement could be implemented. It thanked the UNHCR delegation in Guinea for its unflagging and invaluable efforts and reiterated its readiness to continue collaborating with it and all other humanitarian agencies.

7. Mr. KYRÖLÄINEN (Finland) said that his delegation fully associated itself with the statement made on behalf of the European Union and endorsed the expressions of gratitude and appreciation to the High Commissioner. One outstanding example of the success achieved by UNHCR was Mozambique, whose uprooted population had been able to return home.

8. His delegation shared the High Commissioner's frustration about unresolved crises, especially in Central and West Africa, Chechnya and Timor. In order to cope with such challenges, UNHCR had had to develop flexible and innovative approaches. His delegation supported the efforts to strengthen UNHCR's emergency preparedness and response capacity, as well as the measures taken to create a secure environment for refugees and to ensure the safety of staff in humanitarian operations; it looked forward to further discussion, including the consideration of the Brahimi report, in that regard. Security should be treated as the system-wide problem that it was.

9. The gap between humanitarian and development assistance, called for attention by all involved, including the creation of new partnerships and further financial support Finland shared the High Commissioner's concern about funding, particularly the effect of cuts on policy priorities such as women and children. Donors should ensure that UNHCR receive the necessary long-term support.

10. Mr. GERDTS (Germany) expressed his Government's sympathy with the families and colleagues of UNHCR staff recently murdered on humanitarian missions in Guinea and West Timor. Member States which had mandated UNHCR had a responsibility to help safeguard the lives of its staff and, where preventive measures had failed, should at least do everything in their power to bring the perpetrators to justice and put pressure on their supporters.

11. His delegation endorsed the statement made on behalf of the European Union, which had pertinently drawn attention to UNHCR's challenges and responses. The new challenges stemming from the growth and changing nature of conflicts during the past decade called for speedier responses and more effective coordination by UNHCR. Lessons could be drawn from the Great Lakes and Balkans crises, including the paramount importance of the exclusively humanitarian and civilian character of refugee camps, the need to strengthen UNHCR's management capacity and the strict clarification of mandates and responsibilities. Likewise essential, however, was the political will to create and impose a framework that would enable UNHCR's protection mandate to be fulfilled. Bridging the gap between relief work and sustainable development would greatly enhance conflict prevention and peace-building. In that context, his delegation welcomed the Brookings process and looked forward to the results of the first country pilot studies. Preventing crises and consequent refugee flows should remain a high priority. Accordingly, Germany had set up training facilities for civilian personnel, open to representatives of other countries. The Balkans was a good example of post-conflict peace-building. The measures taken included the Stability Pact for Southeastern Europe, to which Germany had made a substantial contribution in finance and manpower. In all such efforts, in any country or region, respect for human rights was essential for peace.

12. During and after the war in the former Yugoslavia, Germany had hosted several hundred thousand refugees, mostly from Bosnia and Herzegovina and more recently from Kosovo, having spent tens of billions of dollars in addition to its UNHCR and other United Nations contributions. It currently hosted the largest number of refugees in Europe and remained one of the major donors of humanitarian assistance around the world. Earlier in the year, the Federal Parliament had set up a National Commission on Immigration which would, inter alia, formulate proposals on immigration, the integration of foreigners and the coexistence of different groups.

13. Lastly, he expressed his Government's sincere thanks to Mrs. Ogata for her outstanding efforts during her term of office.

14. Mr. MARIELA (Chile) endorsed the expressions of appreciation to the High Commissioner.

15. The tragic events in West Timor and Guinea had bereaved not only the victims' families and UNHCR, but the entire world. The sacrifice would surely not have been in vain and he was certain that, in future, humanitarian workers would receive the resources and security guarantees they needed to carry out their selfless work.

16. As a country with a long tradition of providing asylum in the Latin America region, Chile reiterated its readiness to cooperate in UNHCR's humanitarian work. The 22.3 million refugees located in 150 countries around the world represented a moral challenge for which every country should share the responsibility. In her introductory statement, Mrs. Ogata had indicated which

direction was to be taken with regard to the current agenda item, entitled "UNHCR@50: from response to solutions". As a party to the Convention relating to the Status of Refugees and the Protocol thereto, Chile continued to collaborate actively in UNHCR's activities. In January 1999, the Government had drawn up an agreement on the resettlement of refugees in Chile and had begun the first stage of a programme to settle a group of families from the former Yugoslavia; some initial difficulties of the kind inherent in complex human relations, had not deterred the authorities from proceeding to the second stage and a large group of refugees would be settled in Chile in the coming months.

17. Mr. BÖSENBACHER (Hungary) paid tribute to the High Commissioner and the staff of her Office. His delegation shared the sorrow and outrage at the brutal murder of UNHCR staff members in West Timor and Guinea; efforts must be made to end the culture of impunity that allowed such violence to prevail and to strengthen the protection of those carrying out humanitarian work.

18. Crises of different natures - religious, ethnic and racial - had multiplied in recent years and the resulting refugee problem had become a key political issue that called for open, frank and constructive dialogue with Governments, NGOs and refugee experts, both to reaffirm the Convention's fundamental role and to address the current system's shortcomings. Abuse of asylum procedure was becoming a serious matter because of the traffic in human beings and the difficulty of determining the limit between legal migration and protection under the Convention. The integrity of the institution of asylum must be upheld through measures to exclude from refugee protection those not entitled to it. Without the speedy and effective screening of asylum claims, there could be no effective international protection.

19. His delegation therefore welcomed the proposal for global consultations, which should include exclusion and cessation provisions, criteria for temporary protection, burden-sharing, State and public security implications and international cooperation to deal with rejected asylum seekers. It particularly appreciated the High Commissioner's efforts to increase the number of States parties to the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness and was carefully considering ways to accede to them. It had also withdrawn its geographical reservation to the Convention relating to the Status of Refugees.

20. During the 10 years since its establishment, the UNHCR branch office in Budapest had greatly assisted refugees seeking asylum in Hungary and had helped in the preparation of draft legislation and the implementation of the Convention. His delegation reiterated its appreciation for the High Commissioner's efforts and commitment during her term of office.

21. Mr. RODRIGUEZ CEDEÑO (Venezuela) expressed his delegation's appreciation for the work which Mrs. Ogata had carried out during her term of office as High Commissioner and which had done so much to ease the refugee problem throughout the world and pave the way for further progress.

22. The refugee problem was a matter of increasing concern. UNHCR was caring for over 21 million people throughout the world, uprooted both within and beyond their own borders, while instead of decreasing, crises continued to grow in number. In efforts to alleviate the problems, UNHCR had played a fundamental role in the 50 years of its existence, but it

would have to adapt in view of the changing nature and pattern of refugee flows. The fundamental institution of asylum and other forms of protection had to be strengthened and the safety of humanitarian personnel in the field guaranteed. His Government deeply deplored the attacks on such persons and was distressed not only at the continued occurrence of such acts, but at the failure to apprehend and punish those responsible. It hoped that the perpetrators could be brought to international justice, and that the recently established International Criminal Court would soon be operational for that purpose.

23. The refugee problem should not be considered only in the light of the immediate issue of protection, but should also focus on the establishment of peace and stability, reconciliation or coexistence, and sustainable development in countries of origin, with a view to the ultimate safe repatriation of displaced persons. Experience pointed to the need to go beyond immediate assistance and take long-term requirements into account - an approach requiring positive international coordinated action of the kind that UNHCR's work undoubtedly fostered.

24. The forced displacement of persons throughout the world concerned not only the States directly involved, but the international community as a whole. UNHCR could and should play a fundamental role in the coordinated action required. Effort-sharing was vital, as was the sharing of responsibility, which should be approached strictly according to the principle of international solidarity in providing international assistance and basic protection. International protection was the very reason for UNHCR's existence and underlay the preparation of the relevant rules and principles of international law. Protection should be constantly improved by strengthening existing institutions and devising other effective and acceptable safeguards for displaced persons. His Government reiterated its support for UNHCR. Its commitment to respecting the rights of forcibly displaced persons was reflected in domestic measures such as the establishment of a technical commission to screen requests and the conclusion of an agreement with Colombia to deal with internally displaced persons in transit.

25. Mr. MOHAMMED (Nigeria) said that his Government had been profoundly saddened by the recent murders of UNHCR staff members and called for mechanisms to be put in place to ensure the safety of humanitarian workers. Throughout its 50-year history, UNHCR had remained dynamic and innovative in the search for solutions. Nevertheless humanitarian and refugee protection principles had occasionally been compromised. UNHCR had frequently been left with no option but to provide assistance in the midst of armed conflict, with staff working in insecure situations and inadequate access to displaced populations. The militarization of camps was another serious threat to refugees and humanitarian workers alike.

26. Reach Out initiatives were very useful in reminding States of their international obligations and efforts should be made to enhance the capacity of first countries of asylum. New complexities necessitated collaborative efforts with other bodies and United Nations agencies in which UNHCR should continue to play a lead role. Relationships with NGOs needed to be strengthened and local responses to refugee issues should be enhanced. Awareness-raising activities and partnerships with regional, subregional, and private-sector organizations should also continue.

27. The location of camps close to borders and the militarization of camps were significant risk factors. Some States were unable to provide adequate security, especially in

poverty-stricken sub-Saharan Africa. In the spirit of international solidarity and burden-sharing, UNHCR and the international community should provide advice, training, technical assistance and funds to deal with the problem. Accordingly, Nigeria supported the development of a protocol to the 1994 Convention on the Safety of United Nations and Associated Personnel.

28. UNHCR's role in the development and reconstruction of post-conflict areas with a view to ensuring that peace was maintained following the return of refugees was to be commended. However, certain shortcomings needed to be pointed out. Although about one third of the world's refugees were located in Africa, that statistic was not reflected in commensurate funding or crisis-response capacity. The international community and donor countries should heed the appeals of the High Commissioner for increased funding of programmes in various regions of Africa.

29. Finally, peace-building should be incorporated into the arsenal of solutions to refugee problems. The inauguration of Peace Education programmes in post-conflict States and refugee camps was a step towards encouraging coexistence and sustainable peace. For its part, the international community needed to restrict the flow of arms, help to demobilize armed groups and prosecute persons guilty of crimes against humanity.

30. Mr. AL AGHBASH (Sudan) said that, unless the safety of humanitarian officers could be guaranteed, it would be impossible to protect the women and children who accounted for the bulk of refugees and victims of conflict. The Sudan had consistently denounced the targeting and killing of United Nations and other staff in the field and expressed its condolences to the families of the recently murdered UNHCR staff.

31. In December 1998, the Sudan had hosted the Organization of African Unity (OAU) Ministerial Conference on Refugees, Returnees and Displaced Persons in Africa. African countries, the United Nations and the international community should implement the recommendations and declaration of that Conference and thus put an end to the continent's refugee problems. In addition, his Government had concluded agreements to repatriate Ethiopian and Eritrean refugees, although the situation had taken another turn for the worse during the fighting in the region earlier in the year. Efforts were also being made to encourage the voluntary repatriation of refugees to the Democratic Republic of the Congo, Uganda and Chad.

32. A meeting had been held in Addis Ababa in August 2000 to discuss the question of certain Ethiopians in the Sudan whose refugee status had been curtailed. It had been agreed that their repatriation would begin on 1 December 2000 and that the two sides would settle the issue of the remaining caseload on a bilateral basis. UNHCR representatives had pledged to rehabilitate the refugee-affected areas and the refugee camps before handing them over to the Sudanese authorities.

33. The Sudan was committed to protecting and caring for refugees in its territory and it trusted that Sudanese refugees in neighbouring countries would receive equal treatment. Unfortunately, attacks on refugee camps and the use of refugee children in armed conflicts were continuing. The rebel Sudanese People's Liberation Army (SPLA) had continued to disregard all relevant resolutions and agreements.

34. Recent years had witnessed a decline in international assistance for refugees. Furthermore, the earmarking of contributions from donor countries had undermined UNHCR's capacity to implement refugee programmes. The present pledging system whereby funds were donated to specific projects in individual countries meant, for example, that one refugee in Europe received the same level of funding as hundreds of African refugees. UNHCR should be permitted a free hand in allocating funds according to its priorities. Additionally, it was regrettable that UNHCR had decided to phase out the entitlement to refugee status of certain Ethiopian nationals currently in the Sudan. The decision ignored the practical difficulty of discontinuing refugee status when so many of the Sudan's neighbours were beset by internal conflicts which constantly generated refugee flows.

35. Mr. LOMONGIN (Observer for Kenya) said that his Government had been shocked by the recent murder of UNHCR staff members in West Timor and wholeheartedly endorsed measures to enhance the safety of field officers.

36. When refugees had started to arrive in Kenya in large numbers in the early 1990s, the Kenyan authorities had lacked the necessary resources and expertise to deal with the problem. His Government was grateful for the prompt assistance that had been offered by UNHCR and the international community. It was to be noted, however, that resources had dwindled and refugees' basic needs were often not met. Any peaceful initiative aimed at solving the problem of forced migration deserved support. Accordingly, his Government endorsed the Burundi peace initiative, the recent developments in Somalia and efforts to break the deadlock in the Democratic Republic of the Congo. The recent ceasefire between Ethiopia and Eritrea was another welcome development.

37. Mr. MIGUIL (Observer for Djibouti) said that his Government had been saddened and angered by the recent murders of UNHCR staff. Djibouti had experienced refugee problems ever since independence, to the extent that refugees accounted for 37 per cent of the national population. Clearly, the refugee problem in Djibouti impeded the country's social and economic development. The annual meeting of the Executive Committee enabled Djibouti to keep abreast of new developments with regard to the management of refugee flows.

38. UNHCR needed to redefine its mandate and rethink its objectives in the light of experience. In that connection, developed countries should recognize that refugee flows were often caused by the grinding poverty that existed in developing countries. For too long, perhaps, the international community had idealized the capacity of international organizations to solve the world's problems. Mindful of those limitations, the President of Djibouti had become personally involved in efforts to find a solution to the difficult situation in neighbouring Somalia. Furthermore, with a view to guaranteeing internal stability and forestalling a potential outflow of Djiboutian refugees, a peace agreement ending an internal rebellion had been signed in February 2000. Djibouti's efforts within the framework of the Intergovernmental Authority on Development (IGAD) were directed towards the same objectives.

39. The recent conflict between Ethiopia and Eritrea had resulted in a new influx of refugees into Djibouti and, accordingly, his Government renewed its appeal for financial assistance to cope with the problem. Solutions to refugee problems should be shared solutions.

40. Mr. ALEMU (Ethiopia) said that Ethiopia and the subregion had been in a state of war and conflict for most of the last 30 years. Given the resulting mass displacements of people, there was every reason to be grateful to UNHCR for its assistance. UNHCR had been instrumental in ensuring that the hundreds of thousands of Ethiopians who had fled their country in the past were able to return.

41. Ethiopia had also been the first country of asylum for hundreds of thousands of refugees from elsewhere. UNHCR had helped there, too, but it had not always had the resources to help carry out tasks such as voluntary repatriation more effectively. That was still the case today.

42. Ethiopia shared the deep indignation felt over the recent brutal murders of UNHCR staff members, one of whom had himself been Ethiopian. Ethiopia called for urgent measures to ensure full protection for all United Nations humanitarian personnel everywhere.

43. Mr. PEREZ-VILLANUEVA (Spain) said that Spain fully endorsed the statement made by the representative of France on behalf of the European Union. It also regarded the 1951 Convention as the cornerstone of international refugee protection and supported the initiatives that had been taken to deal with the problems of its implementation in a new and changing context.

44. It was important to protect the institution of asylum. The increase in groundless asylum applications created suspicion among public opinion in host countries. It was essential to protect those who needed protection while maintaining the integrity of migration policies. One of Spain's chief concerns in that regard was the growth of trafficking rings.

45. The maintenance of strict status-determination procedures inevitably ate into resources that might otherwise be used in caring for refugees and he requested UNHCR assistance in identifying ways of providing protection where necessary while discouraging groundless applications.

46. The growing complexity of humanitarian crises had brought many new actors onto the stage and humanitarian space had become overcrowded, frequently resulting in confusion and duplication of work. Partnership was fundamental to finding satisfactory responses to the refugee problem.

47. The recent tragic events in West Timor and Guinea had highlighted the question of the security of humanitarian workers. All States must share the responsibility for guaranteeing their safety, which must now be a matter of the highest priority.

48. Peace and respect for human rights were the best means of forestalling the need to seek refuge and protection outside one's own country. Spain attached particular importance to international conflict-resolution mechanisms and, particularly during the phase between relief and reconstruction, to peace-building processes, including rehabilitation and reconciliation programmes developed by the international community.

49. With regard to UNHCR's finances, the establishment of a set of principles to guide donors had been an important step forward. In the current situation, it was necessary to ensure that resources were not allocated to humanitarian crises that happened to be under the media spotlight, at the expense of more long-term conflicts that were less topical.

50. Lastly, he paid tribute to the developing countries that took in enormous numbers of refugees despite their lack of domestic resources.

51. Ms. LAZAROVA-TRAJKOVSKA (Observer for the former Yugoslav Republic of Macedonia) said that, over the past 10 years, her country had gained enormous practical experience in finding solutions to refugee problems. In 1999, for example, it had taken in over 360,000 Kosovo refugees, a burden that had been far from easy to bear. Most had now returned to Kosovo and, at present, there were 6,062 people from Kosovo and Serbia, the majority of them Roma, in the country under temporary protection. Everything had been done to regulate the protected status of such persons, to monitor their stay in the country and to facilitate their voluntary return.

52. According to reports from UNHCR, the Organization for Security and Cooperation in Europe (OSCE) and the International Organization for Migration (IOM), conditions in Kosovo were still not right for the permanent return of those at present in the former Yugoslav Republic of Macedonia, especially the non-Albanians. Her Government had therefore extended their temporary protection until 28 March 2001. The most pressing task now was for the United Nations Mission in Kosovo (UNMIK) to prepare the way for their return and help promote coexistence.

53. Her Government had made significant improvements to the legal framework for the recognition of refugees. The 1951 Convention had been ratified in 1994 and a new Asylum Act was expected to be adopted shortly, with implementation beginning early in 2001. She expressed gratitude to UNHCR for its help in drafting the Act and preparing for its implementation, as well as assisting with amendments to the Nationality Act.

54. Mr. TROJAN (Observer for the European Commission) endorsed the statement made by the representative of France on behalf of the European Union and conveyed the Commission's grief at the recent murders of UNHCR colleagues.

55. An exchange of letters had taken place between the European Commission and UNHCR in July 2000. Its aim was to strengthen their partnership with a view to devising fair, balanced and effective legislation in matters of asylum and refugees. A process of harmonization of legislation had also begun, along the lines agreed at the Special European Council meeting held in Tampere in October 1999, and the European Commission had submitted two proposals of significance for European asylum and immigration policy: one was a draft directive on the right to family reunion, which related chiefly to recognized refugees; the other was a proposal to establish a European Fund for Refugees as a means of ensuring a balance of efforts between member States in welcoming refugees and displaced persons and bearing the consequences of their reception. The latter proposal had recently been adopted. A proposal had also been submitted for a directive on temporary protection in the event of a mass influx of displaced persons, a measure that included solidarity mechanisms between member States.

56. The Commission had recently adopted a directive on minimum standards for the granting and withdrawal of refugee status as a first step in implementation of a common European asylum regime and would shortly be submitting a proposal for a directive on minimum standards for reception of asylum-seekers. At the same time, work was continuing on legislation governing the criteria and mechanisms applied by States in considering asylum applications. Two papers would shortly be published, one on a common asylum procedure and the other analysing migratory flows and their impact on immigration policies.

57. Political representatives should be seeking ways of meeting the challenges presented by an influx of asylum-seekers and refugees: in that regard, it was vital to continue to combat racism, discrimination and xenophobia.

58. In line with its commitment to genuine partnership with key humanitarian actors, the European Commission's Humanitarian Aid Office (ECHO) financed a large number of NGO projects. At the same time, UNHCR was the single most important recipient of ECHO funding, so that the Commission was in a prime position to facilitate partnership between UNHCR and humanitarian NGOs.

59. Lastly, he said the European Commission was prepared to help strengthen UNHCR's emergency preparation and response capability, including through training and by building up telecommunications networks. A process of strategic programming had begun between the Commission and UNHCR, which should ensure more predictable and coherent funding for UNHCR's operations.

60. Mr. TESSENYI (Council of Europe) said that the Council of Europe would continue to work closely with UNHCR to strengthen the institution of asylum. Refugees themselves, as had already been suggested earlier, should be partners in reforming the system of protection.

61. The Council of Europe was one of the four agencies responsible for the extended follow-up to the CIS Conference process. By way of illustration, it had been working in Moldova with UNHCR, Parliament and other government representatives and NGOs on draft refugee legislation. That was only one example where the interests and work of UNHCR and the Council coincided with regard to the strengthening of the institution of asylum.

62. Referring to the Stability Pact for Southeastern Europe, he said that the Council was represented at the meeting of Working Table III, which was addressing, among other things, asylum and migration questions. The international community could save a good deal of time and resources by drawing on the years of experience gained in the framework of the CIS Conference process.

63. The Council of Europe had recently adopted recommendations on the arrival of asylum-seekers at European airports, on family reunion for refugees and other persons in need of international protection and on temporary protection. It was also involved in standard-setting, partly through European Court of Human Rights decisions, such as two recent ones on expulsion and family life, and partly by focusing on areas such as the detention of asylum-seekers and subsidiary or complementary protection. It also planned to consider the situation of refugee women and restrictions on asylum in member States.

64. Ms. ALTYNSHASH (Observer for Kazakhstan), speaking on behalf of the delegations of Kyrgyzstan and Tajikistan, expressed her condolences to the families of the recently murdered UNHCR personnel.

65. Progress on the issue of refugees and forcibly displaced persons in the Central Asian region was attributable to cooperation with UNHCR and Kazakhstan's recent accession to the 1951 Convention and the 1967 Protocol demonstrated its commitment to solving refugee problems and its intention to abide by relevant international standards. Technical assistance provided by UNHCR had also been extremely valuable in formulating domestic legislation on refugee issues. With UNHCR's help, her Government had successfully repatriated thousands of Tajik refugees and the process was continuing despite financial constraints.

66. The geopolitical situation of the Central Asian States, the vastness of the region and the porous nature of international borders in the area unfortunately favoured the activities of international traffickers in drugs, people and weapons. The conflict in Afghanistan, the growth of religious extremism and the intensification of international terrorism were potential ingredients for massive refugee movements into Kazakhstan in the near future. However, the Executive Committee had paid scant attention to the situation in Central Asia. Although increases in funding were always welcome, certain measures to avert refugee crises did not have to be expensive. For example, greater attention to forecasting and early-warning mechanisms could pay handsome dividends. To that end, Kazakhstan was particularly interested in developing an integrated information network to cover all aspects of migration and population movement.

67. Mr. BENJELLOUN-TOUIMI (Morocco) said that the international instruments and mechanisms established since the creation of UNHCR to regulate the status of refugees remained relevant today, despite the changing historical context. Nevertheless, they were now subject to unprecedented pressure. The 2 million refugees existing in 1951 had lived in the richest countries in the world. Now the majority of the millions of refugees lived in developing countries, some of them in sub-Saharan Africa, which often faced enormous economic and social difficulties. International organizations and NGOs were finding it increasingly difficult to mobilize resources for those refugees, particularly in the case of mass influxes, as in Kosovo or Timor, which swallowed up enormous amounts. The international community must not forget the countries of sub-Saharan Africa, which, despite their difficult economic circumstances, demonstrated exemplary solidarity by taking in thousands of refugees.

68. He welcomed the UNHCR initiative to organize consultations in order to revitalize the legal system in the area of international protection; that should make it possible to identify ways to implement effective and durable solutions to refugee problems. Voluntary repatriation was undoubtedly the preferred solution, as long as the refugees were free to express their wishes without having to worry about their own or their family's safety. Unfortunately, in some parts of the world where refugees were kept in camps for decades, they were often not in a position to express their wishes freely. That aspect of the implementation of voluntary repatriation should certainly be examined in the consultations. Practical solutions must be explored and quickly implemented in order to alleviate the suffering of refugees, which had lasted too long.

69. He expressed solidarity with the staff of UNHCR following the recent tragic attacks on staff members in Asia and Africa and condemned in the strongest possible terms all attacks on humanitarian workers. UNHCR staff were doing an outstanding job in often difficult conditions and it was vital for UNHCR, the United Nations, States and non-governmental organizations to hold urgent talks on how best to protect humanitarian workers.

70. Mr. MACHUNGWA (Observer for Zambia) said that a change of approach in the ongoing efforts by UNHCR to identify sustainable solutions to the world refugee crisis was inevitable. Indeed, since its creation, UNHCR had been obliged to adapt its approach to the changing world refugee problem. While there was plenty of evidence of successful UNHCR programmes around the world, he was concerned about the glaring imbalance in the assistance given by the international community to African refugees as compared with that given to refugees from other parts of the world, even though all refugees had more or less the same needs. UNHCR's dedication to the cause of refugees was all the more admirable given the constraints of inadequate funding and the security risks faced by its staff. He strongly condemned the killing of humanitarian workers and said that his Government would support initiatives to improve their safety around the world.

71. The economic difficulties facing most African States, compounded by their heavy debt burden and intractable civil wars in some countries, meant that they were unable to manage their refugee populations effectively. Warring between factions and the profits to be made from supplying weapons had added to the problem. Despite that, African States were still in a position to help solve the various refugee crises on the continent by ensuring a shift from dictatorial political practices to democratic Governments, but, to do that, they needed support and goodwill. They must also continue to promote peace initiatives in order to create conditions conducive to the repatriation of refugees, but financial and technical support was needed to maintain the momentum of the peace initiatives.

72. Lastly, he paid tribute to Mrs. Sadako Ogata for placing refugees, and especially African refugees, high on the agenda of the United Nations and the international community.

73. Mr. ARNAU AVILA (Observer for Mexico) said that priority had been given in recent years in Mexico to dealing with the problem of Guatemalan refugees. During a visit to Mexico by Mrs. Sadako Ogata and in the presence of the Presidents of Mexico and Guatemala, naturalization and migrant documents had been handed over to refugees in Santo Domingo Kesté, Campeche. For the first time, the same refugees had also been given the deeds to an average of two hectares of land for each family. UNHCR had covered the costs involved in issuing those documents and the European Union had supported the development of farming projects designed to allow the refugees to be self-sufficient.

74. In the year in which UNHCR celebrated its fiftieth anniversary and the Mexican Commission for Assistance to Refugees (CONMAR) its twentieth, the Mexican Senate had ratified the 1951 Convention relating to the Status of Refugees and its 1967 Protocol and all documentation had been provided for Mexico's acceptance as a full member of the Executive Committee of the High Commissioner's programme. Also, the General Population Act had been adopted and provided for the creation of the Committee on Eligibility for Refugee Status, which would coordinate the work of all the agencies concerned.

75. To date Mexico had taken in over 200,000 refugees, who had enriched Mexican society with their cultural and economic contributions. Currently, 2,500 persons enjoyed the legal status of refugee. Mexicans not only offered a warm welcome to refugees, but also themselves went in search of a better life on the other side of Mexico's northern border. The Government policy of giving refugees Mexican nationality and land gave them a real opportunity to get on in life. Moreover, the current economic situation offered a unique opportunity to continue adapting Mexico's laws and institutions to deal more promptly and effectively with the humanitarian needs of refugees.

76. Mr. SAEEDI (Observer for Yemen) said that UNHCR had achieved a good deal in 50 years despite the many difficulties it faced and the limited resources available to it to cope with rising numbers of refugees. He thanked donor countries for their support and called on them to continue to give generously. In the previous two decades, Yemen had faced increasing instability in the Horn of Africa, but it had fulfilled its international and humanitarian responsibilities towards the refugees in its territory. It had set up a National Commission for Refugees, chaired by the Minister for Foreign Affairs, and remained committed to providing assistance and facilities for refugees despite the paucity of the resources allocated to it by UNHCR.

77. The number of refugees in Yemen was officially put at 70,000, but was probably higher. They were visited by officials from the National Commission and by UNHCR staff members and their basic needs were provided for, with some help from non-governmental organizations. Security services were provided for refugees and UNHCR staff. UNHCR and local authorities had jointly organized training and awareness-raising campaigns on refugee problems. Some Somali and Eritrean refugees had been repatriated, although even more continued to flow in. His Government was also trying to find political solutions to the refugee problem; it had acted as a mediator between warring factions in one country, as well as between countries at war, and it had organized a meeting to try to reconcile Somali factions and the elected Government of Somalia in Djibouti.

78. Yemen still faced many difficulties in offering shelter to refugees: it was one of the least developed countries and had very few financial resources, while the number of refugees was growing all the time. Officials from the National Commission received little assistance and were badly in need of training.

79. Lastly, he drew attention to the large numbers of Palestinian people who were still refugees or displaced despite all the efforts by the international community. He condemned the recent atrocities committed by Israeli troops on Palestinians and their children, which were in violation of the principles of international law, and he urged the international community to do the same.

80. Ms. ABOULNAGA (Observer for Egypt) said it had been an excellent idea to hold round tables before the current session to allow humanitarian experts to discuss subjects such as the objective link between humanitarian action and development. At one such meeting, the High Commissioner had made a comprehensive statement defining the challenges facing UNHCR given the limited resources at its disposal.

81. On the occasion of the fiftieth anniversary of UNHCR, she attached the highest priority to international protection and mechanisms for its implementation. There was a need to foster international solidarity in that area on the basis of the 1951 Convention relating to the Status of Refugees. However, a solid institutional basis for international protection could not be laid without paying attention to three questions. The first was the protection of humanitarian workers, as highlighted by the recent killings of UNHCR staff members in West Timor and Guinea; all possible efforts must be taken at every level to protect all humanitarian workers wherever they were in the world. The second question concerned the financial resources necessary to ensure the timely and fair implementation of the whole of the High Commissioner's Programme ; that would require the constructive cooperation of donors, who should not place restrictions on where the High Commissioner spent the money. The third question concerned the balanced geographical implementation of the High Commissioner's Programme; there were over 6 million refugees in Africa and she hoped that Africa would be given higher priority in future.

82. The Egyptian authorities enjoyed a very constructive and cooperative relationship with UNHCR, as shown by the choice of Cairo to house the regional office for the Middle East and Africa. She was confident that such cooperation would yield further success in the future.

83. Lastly, she agreed completely with what the observer for Yemen had said with regard to the violence inflicted on the Palestinian people by Israeli troops.

84. Ms. CEK (Observer for Croatia) paid tribute to the selfless work of the High Commissioner for Refugees and her staff, often in difficult and dangerous circumstances. The emergency aid sent by UNHCR to help the tens of thousands of refugees and displaced persons in Croatia in the first half of the 1990s, as well as the High Commissioner's personal efforts to find a permanent solution to the problem, were highly appreciated. She thanked the High Commissioner especially for leading the humanitarian response to the terrible war waged on Croatian territory in 1992 and for her efforts, during her many visits to Croatia, to speed up the return process.

85. For 50 years, UNHCR had been developing new approaches to ever more complex crises. One of those approaches involved bridging the gap between humanitarian and development assistance in post-conflict situations. In order to build a self-sustaining society following an armed conflict, development assistance was a must, since, without it, a vicious circle of dependence on international aid was easily created.

86. Her Government had put a great deal of effort into promoting the return of refugees and displaced persons to their places of residence. It was determined to overcome the remaining obstacles, but creating the conditions for sustainable return was a time-consuming and costly business. She therefore hoped that support would be forthcoming from international partners such as UNHCR and the international donor community to achieve a self-sustainable return process in Croatia.

87. She offered the condolences of her Government on the deaths of the four UNHCR staff members, one of whom had been a Croatian national, recently killed in West Timor and Guinea.

The targeting of humanitarian workers was unacceptable and she supported calls for the convening of a special session of the United Nations Security Council on that issue, as well as the adoption of specific measures by the General Assembly.

88. Ms. NYIRAMIRIMO (Observer for Rwanda) said she was particularly grateful to the High Commissioner for the understanding she had shown during her various visits to Rwanda and for her support for the country's moves towards reconstruction and national reconciliation. She expressed her condolences to the families of the four UNHCR staff members killed recently and said that the perpetrators must be brought to justice. Her Government was grateful for the considerable help it had received from United Nations agencies and those States which had come together to help Rwanda solve the problems resulting from the genocide and massacres in 1994. It was especially grateful to UNHCR and the international community for their support for programmes to reintegrate returnees and vulnerable persons and to help refugees who had found asylum in Rwanda. However, given the size of the tasks of providing housing for returnees, and orphans and those who had escaped the genocide, as well as schools, hospitals and drinking water, and her country's inability to carry them out alone, the funds allocated were insufficient. She recalled that over 3 million refugees had returned to Rwanda in recent years and called on the international community and UNHCR to continue to support the rehabilitation programmes for the thousands of people living in precarious circumstances. Several thousand Rwandan refugees and unaccompanied children were exiled in various countries, unable to return home for various reasons; she called on those countries and the international community to support her Government in its efforts to repatriate them.

89. In addition to the problems arising as a result of the genocide, Rwanda had accepted over 30,000 refugees from neighbouring countries. Most of them were living in camps and needed help to satisfy their basic needs. Her Government had already submitted to Parliament a bill on the refugees which would allow them to live in Rwanda while enjoying all necessary protection.

90. Her Government supported all efforts to find peaceful solutions to conflicts. In order to stem the flows of refugees around the world and in Africa in particular, all States had a duty to promote respect for human rights and to cooperate in improving living conditions, since poverty and the poor distribution of resources gave rise to social tension that could lead to conflict. She was grateful to the international community in general and UNHCR in particular for helping to resolve conflicts and take care of displaced persons or refugees, especially in the Great Lakes region. Her Government looked forward to receiving further assistance in its efforts to rehabilitate refugees and those handicapped, widowed, orphaned or displaced as a result of the genocide.

The meeting rose at 6.15 p.m.

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EXECUTIVE COMMITTEE OF THE PROGRAMME OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES

Fifty-first session

SUMMARY RECORD OF THE 547th MEETING

Held at the Palais des Nations, Geneva,
on Wednesday, 4 October 2000, at 10 a.m.

Chairman: Mr. KHORRAM (Islamic Republic of Iran)

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ANNUAL THEME: UNHCR@50: FROM RESPONSE TO SOLUTIONS (continued)

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The meeting was called to order at 10.15 a.m.

ANNUAL THEME: UNHCR@50: FROM RESPONSE TO SOLUTIONS (agenda item 4) (continued) (A/AC.96/938)

1. Mr. MABALA (Observer for Gabon) said that the relationship between UNHCR and Gabon had been one of long and fruitful cooperation. Gabon's hospitality was legendary and, in Africa, it was recognized to be a country of asylum. In its desire to fulfil its international obligations and solve the problem of refugees and asylum-seekers, Gabon had developed a legal framework - the 1998 Refugees (Status in the Gabonese Republic) Act and three decrees implementing it - enabling it to coordinate its work with UNHCR better. As a haven of peace in a troubled region, Gabon had become a magnet for asylum-seekers: the number of registered refugees currently stood at 17,500, or 14.58 per cent of the country's population; however, the Government believed that was certainly an underestimate, since many refugees lodged with nationals and others had voluntarily chosen to remain clandestine. Joint action with UNHCR in order to obtain more precise figures would be useful.

2. With regard to the relationship between respect for the right to asylum and immigration policies, the question was how to reconcile the right to asylum with the control of migration flows. With UNHCR's support and help, Gabon had decided to study the room for manoeuvre that should be available to member States. A major seminar to raise public awareness of the issue was currently being held in Libreville, with technical support from UNHCR.

3. Everyone realized that the situation of refugees and displaced persons demanded greater international solidarity in order to achieve better results and appropriate solutions. Gabon was grateful to all those friendly countries and NGOs that were providing assistance. In cases where refugee flows were the result of armed conflicts, Gabon believed that no durable or satisfactory solution was possible without the total elimination of the root causes of the conflicts. Dialogue was the best way to settle such conflicts. Gabon had consistently held to the ideal of peace in its foreign policy and diplomacy.

4. Mr. BOUPHA (Observer for the Lao People's Democratic Republic) said that, despite the results obtained during the past year, when many States had accepted their humanitarian obligations and worked with UNHCR to help find a solution to the refugee problem, it was still a long way from response to solution, in the words of the theme of the current session of the Executive Committee. Some 22 million refugees around the world were of concern to UNHCR, as well as other displaced persons, who needed protection and assistance and who were, for the most part, innocent victims. It was necessary to carry out a concrete analysis of all the complex aspects of the issue.

5. The Lao Government had implemented its humanitarian policy with very limited resources, but a firm political will and a great deal of determination. Under the procedures and plan of action adopted at meetings between Thailand, UNHCR and the Lao People's Democratic Republic, more than 28,000 people had returned from Thailand and more than 4,000 from other countries (China, Germany, Japan, the United States) and several thousand displaced persons had returned home by their own means. In order to ensure the successful settlement of the numbers

expected, it was essential to prepare sites that would later provide a durable economic and social infrastructure. That was a formidable task and would require external aid, particularly from UNHCR, as agreed at the latest tripartite meeting in Vientiane.

6. Mr. NKURUNZIZA (Observer for Burundi), deploring the tragic deaths of the members of the United Nations humanitarian community, said he believed that it was the international community's duty to prosecute their killers as war criminals.

7. The unfortunate events in Burundi had triggered massive displacements of people both within the country and to other countries. There were around 550,000 Burundian refugees, almost all of them in Tanzania, and nearly the same number of displaced persons within Burundi. Those figures did not include groups which had been in the recently dismantled protected facilities. Thanks to the recently signed Arusha Peace Accord, Burundi should now be able to move into an era of peace and true political stability, the key to all sustainable human development.

8. If the rebel group signed a ceasefire agreement, as the region's heads of State had demanded, Burundian refugees would return en masse. In order to receive them, the Burundian Government was developing a global operational plan for 2001-2002 in conjunction with the United Nations system. The main concern was to facilitate the reception, resettlement and reintegration of the returnees.

9. The majority of the affected population, whether returnees or displaced persons, were women and children. They were in desperate need of help and care in all respects. Burundi urged the High Commissioner to give them special attention and welcomed the initiative of the Canadian Government and UNICEF, which had organized an international conference on children affected by war, which Burundi had attended, in Winnipeg.

10. Burundi would spare no effort to enable its refugee sons and daughters, wherever they were, to return to their country and help build a new society. It requested all the countries of the subregion, as well as OAU and the United Nations, which had signed the Peace Accord, to do everything in their power to ensure that the rebels signed a ceasefire agreement.

11. Mr. BANGURA (Observer for Sierra Leone) expressed gratitude to UNHCR for its work and constant sacrifices since the outbreak of the conflict in Sierra Leone in March 1991.

12. Despite the violation of the Lomé Peace Agreement by the Revolutionary United Front in May 2000, the Government of Sierra Leone still had hope and confidence in the Agreement. Nevertheless, it was concerned about the risk that the conflict might escalate in neighbouring Guinea and Liberia. If that in fact occurred, a humanitarian crisis could be triggered throughout the subregion. Sierra Leone, which was already overstretched with the problem of providing emergency assistance to its own returning refugees and displaced persons, as well as their resettlement and reintegration, was worried that that burden might increase further if refugees from Liberia and Guinea found themselves seeking a safe haven in Sierra Leone. It therefore appealed to UNHCR and the wider international community to forestall any aggravation of the conflict in Liberia and Guinea and help restore peace and security to the West Africa subregion.

13. It was also essential to reinforce the complementarity between emergency humanitarian assistance and long-term development programmes in Sierra Leone; without such programmes, the current attempts to repatriate refugees would fail. Although displaced persons did not fall within UNHCR's mandate, Sierra Leone asked UNHCR to bear in mind the fact that there were 1.3 million internally displaced persons in Sierra Leone and they required the same assistance as refugees to facilitate their resettlement and reintegration. The nine years of rebel warfare had completely destroyed the country's economy. Help was needed to foster economic recovery through community-based projects; that could not be done without assistance, at least in the immediate future.

14. A national commission had been set up to coordinate plans and operations for repatriating and reintegrating Sierra Leonean refugees. Strengthening the commission's capacity would go a long way towards achieving the common humanitarian and peace building role in the West Africa subregion.

15. Mr. WRENCH (United Kingdom) associated himself with the statement made by the representative of France on behalf of the European Union. The United Kingdom paid tribute to UNHCR for all it had achieved in the past half century and wished to express its sorrow and anger at the recent deaths of four UNHCR staff members, killed while performing their humanitarian duties.

16. The fiftieth anniversary of UNHCR was a time to take stock of how the world had changed, look at what the international community had done, reaffirm the principles that had guided its actions and, most importantly, consider how those principles could be best put into practice. The United Kingdom therefore welcomed the global consultations launched by UNHCR and the independent evaluation of its work in Kosovo.

17. The aims established in 1950 remained as vital today: every effort must be made to protect refugees and help them find a more secure future. However, major changes had occurred in the past 50 years, as the paper on the annual theme recognized. The United Kingdom hoped that the global consultations would help to provide practical responses to the challenges that had been created: how to establish a protection regime that quickly identified and supported those in need yet was robust enough to deter those who sought to misuse it. The United Kingdom, in common with all European Union member States, had recently restated its commitment to the right of asylum. But if more was to be done to help those in genuine need of refuge, it was necessary to look at the asylum question as a whole. At present, many countries, including the United Kingdom, spent too much time and money dealing with asylum applications that had no merit and combating the activities of traffickers. That imbalance must be removed. The questions that arose were not easy ones, but they were important, and everyone stood to gain by finding the right answers.

18. Mr. REGONESSA (Observer for the Central African Republic) said that the issues of migration and refugees had undoubtedly put their stamp on the start of the new millennium and the responsibility of the international community and States, together with UNHCR's role, were now central to the debate concerning the response to be given to so many demands. Following its legendary policy of hospitality within the subregion, the Central African Republic continued to receive refugees and it paid tribute to the donors whose assistance, coordinated by UNHCR,

made that possible. Everyone had a duty to find an early solution to the refugee problem, in view of the tragic fate suffered by women and children in makeshift, uncomfortable and dangerous camps.

19. There was no longer any doubt about the close connection between conflicts and forced population displacements and Governments were now more aware of the need to resolve them rapidly, not only in Africa, but elsewhere too. It was not possible to solve the refugee problem without putting an end to the conflicts that forced people to flee and the conflicts themselves would not be solved unless basic power sharing issues were correctly addressed. In some regions of Africa, the chief concern seemed to be the management of natural resources such as oil, diamonds or timber, at the expense of the well-being of the population. It was now generally recognized that there was no effective mechanism for resolving the conflicts in Africa and, more importantly, that some parties to those conflicts were openly supported by particular Governments. What was needed, in Africa as elsewhere, was a reconstruction programme. The situation of the sub-Saharan States, including the Central African Republic, was desperate, in both security and economic terms, and donors should bear that in mind when they allocated development aid to those countries.

20. Mr. SIMKHADA (Observer for Nepal) associated himself with the delegations that had condemned the barbarous acts committed against UNHCR staff members.

21. The choice of the annual theme, "UNHCR@50: from response to solutions" was highly pertinent, and the paper dealing with it provided an excellent background to the Executive Committee's reflection and deliberation.

22. Over the past 50 years, there had been a phenomenal increase in the world's refugee population. Conflicts within and between States, ethnic strife, territorial disputes, external intervention, inter alia, had caused large refugee outflows that had seriously affected the political, cultural and socio-economic structure of the affected countries. UNHCR's task had been further complicated by the need to provide rapid responses in conflict situations as well as durable solutions to the long-standing problems of refugees in camps, the need to provide assistance in the midst of armed conflict and the growth in the number of international actors responding to humanitarian crises. UNHCR's biggest challenge was to maintain its commitment to the principles of asylum, refugee protection and voluntary repatriation, yet the decline in resources was jeopardizing its ability to deal with crisis situations. It was the responsibility of the international community to continue to support host countries, especially the developing and least developed countries, in the care and maintenance of refugees. Nepal had appreciated the High Commissioner's visit in early May, which had included a visit to the Bhutanese refugee camps in eastern Nepal. Nepal had granted asylum to more than 100,000 refugees from Bhutan during the past 10 years - a heavy burden for his country - and the High Commissioner's visit had been an important event for them. The only question that remained was what the international community was prepared to do to help solve their problems.

23. At the dawn of the twenty-first century, with knowledge and know-how at an unprecedented level, some human beings were still forced to lead a life of indignity as refugees, away from the safety of their homes, in camps that were often in foreign lands. Someone had once wondered about man's inhumanity to man. Someone else had suggested that reconciling

the contradictions created by an increasingly geocentric economy with increasingly ethnocentric politics would be the biggest challenge facing the world in the twenty-first century. Bosnia and Herzegovina, Rwanda and Burundi and Kosovo were all stark reminders of that. In an increasingly interdependent world, the values of tolerance, coexistence and pluralism were essential.

24. Mr. POE (Observer for Liberia) said that he deeply deplored the deaths of four UNHCR staff members in West Timor and Guinea. However, he was pleased to be able to say that, consistent with its desire to protect humanitarian workers, the Liberian Government had contributed to the release of Ms. Djeya, a UNHCR staff member who had been kidnapped during a mission to Guinea in September 2000, and to the release earlier in the year of more than 500 United Nations soldiers held hostage in Sierra Leone. Liberia and UNHCR collaborated closely, as illustrated by the appeal the Government had recently made to UNHCR for the return of Liberian nationals who wished to leave Guinea. The Government of Guinea was currently considering a request that it should authorize the evacuation of Liberian nationals who wished to return to their country, but it had not yet given an answer. At that very moment, Lofa in the north of Liberia was being attacked by dissidents from Guinea for the third time in two years, a situation that seriously impeded both UNHCR operations in Liberia and the repatriation efforts. Against that background, the Governments of Liberia, Guinea and Sierra Leone had established the Mano River Union Security Council to discuss issues of security common to the three States and had requested the United Nations Security Council to deploy observers to monitor Liberia's borders with Guinea and Sierra Leone. The Government of Liberia was anxious to find a durable solution to what was a worrying situation and asked UNHCR to extend its repatriation programme for Liberians by 12 months, mobilize resources for continuous and increased support for UNHCR operations in Liberia and, in view of the mistrust that blighted the Mano River Union security arrangements, provide material and financial support for the implementation of a new Mano River Union Security Council. For its own part, it would ensure that UNHCR's operations in Liberia could continue unhindered.

25. Mr. CHIKUNI (Observer for Malawi) expressed his delegation's gratitude at once again being invited to attend the meeting of the UNHCR Executive Committee, a body that would unfortunately retain its importance as long as armed conflicts, lack of good governance and human rights violations continued to produce refugee situations throughout the world. Malawi had the greatest respect for humanitarian workers - and therefore condemned attacks on them in the strongest terms - and for United Nations peace initiatives as a whole. Malawi, which had ratified the 1951 Convention and the 1967 Protocol and the OAU Convention Governing the Specific Aspects of Refugee Problems in Africa assured UNHCR that it would cooperate fully in the area of refugee protection. It was currently pursuing the removal of reservations included in its own 1989 Refugee Act in order to guarantee the same rights and opportunities to refugees and other foreign nationals living in the country.

26. Ms. AL HAJJAJI (Observer for the Libyan Arab Jamahiriya) said she was proud that her country, which enjoyed a special relationship with the major African powers, had been responsible for a number of crisis-resolution mediation processes, including in the Horn of Africa and the Great Lakes region, and that it had been among the first to provide assistance to the victims of those crises. Humanitarian workers on the ground could attest to the fact that they had always worked side by side with Libyan NGOs to help their African brothers. Moreover,

African refugees in Libya not only benefited from a sound infrastructure, but also enjoyed the same rights as Libyan nationals themselves. The Libyan Government was conscious of its humanitarian duty and was therefore currently preparing a memorandum of understanding with UNHCR. Libyan civil society was also becoming increasingly aware in that regard, as illustrated by the large number of NGOs that had recently been formed and the many cooperation initiatives with international humanitarian organizations. She was shocked at the serious incidents that were taking place in the holy city of Jerusalem and the occupied Palestinian territories, including deliberate murders, massacres and gross violations of human rights, as well as assaults on the holy places and shots being fired at the faithful by the Israeli occupying authorities, all of which had entailed in the past and would continue to entail an increase in the number of refugees and displaced persons. In view of such incidents, the United Nations and its agencies and specialized institutions must take a firm stand and clearly condemn what was a violation of international legitimacy, international humanitarian law, human rights law and the four 1949 Geneva Conventions.

27. Mr. MUKULAY (Democratic Republic of the Congo) expressed his personal thanks to the High Commissioner, whose numerous visits to his country revealed her awareness of its problems. The Democratic Republic of the Congo was indeed in a very difficult situation. Many of its nationals had taken refuge in neighbouring countries following the unwarranted aggression the country had been subjected to, in flagrant violation of international law, and a fresh wave of emigration had started some weeks previously, involving 100,000 people who were now living in very difficult conditions in the neighbouring Republic of Congo, where they urgently required assistance from UNHCR and friendly countries. Yet, despite that exodus, the Democratic Republic of the Congo was host to more than 300,000 foreign nationals. It was a huge country, surrounded by nine neighbours, and lay at the meeting-point of central, eastern and southern Africa. If it was to play its humanitarian role fully in such a complex environment, UNHCR's Kinshasa office should become a regional bureau. It was also necessary to work on conflict prevention. Humanitarian work was impossible without a political solution. He expected established democracies to set an example in that area.

28. Mr. VAHABZADA (Observer for Azerbaijan) paid tribute to Mrs. Ogata, who had become an icon of the United Nations and with whom he had had the great honour to work; he thanked her for supporting his Government's work on behalf of refugees and displaced persons. He was, however, surprised that the UNHCR document on the annual theme made no mention of the situation in Azerbaijan, despite the fact that the country held the sorry world record for the largest displaced population, since nearly one in eight of its inhabitants was a displaced person or a refugee. He deplored the fact that, even when conflicts persisted, the international community's attention waned and the result was a decline in amounts of aid that was extremely detrimental to the victims of forced displacements. An international conference held in Baku in May 2000, in which the President of Azerbaijan and representatives of many international organizations had taken part, had concluded that displaced persons and refugees required as much aid as in the past and that they would continue to require such aid until they had been resettled in their permanent place of residence. He denounced the cooperation agreement signed on 5 September 2000 between the puppet regime in the occupied Azerbaijani region of Nagorno-Karabakh and the Armenian Government, which made it impossible for Azerbaijani displaced persons to return home and, by allowing an increase of 300,000 over 10 years in the population of the region, destroyed any prospect of a peaceful settlement of the armed conflict.

The responsibility was entirely that of the Armenian Government, which had not complied with its obligations under article 49 of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, which prohibited the deportation or transfer by an Occupying Power of parts of its own civilian population into the territory it occupied. Such actions were also defined as war crimes under article 8 of the Rome Statute of the International Criminal Court. On behalf of the Azerbaijani Government, he appealed to the Executive Committee to take all necessary measures in accordance with its mandate in order to forestall any actions preventing refugees and displaced persons from exercising their inalienable right to return.

29. Mr. BIABAROH-IBORO (Observer for the Republic of the Congo) said that the question of the security of humanitarian workers had come to the forefront once again; he deplored the fact that UNHCR's budget could not cope with the demands of protection and humanitarian assistance. He appealed for generosity from donors for nationals of his own country who were refugees abroad and for foreign refugee groups within his country. Tens of thousands of people fleeing the fighting in the Democratic Republic of the Congo were now seeking refuge in the Republic of the Congo and his Government was grappling with the problems of reconstruction and was unable to provide more than limited assistance and protection; there was a desperate need for international aid.

30. Ms. KASINGO (Namibia) said that, although UNHCR had been in existence for 50 years, the world - and particularly Africa - was still afflicted by conflicts that created an intolerable burden of refugees and displaced persons. Since 1999, as a result of fighting in Angola, Namibia had been obliged to take in nearly 14,000 refugees. It had been very fortunate to receive relief from the United States, Switzerland, the Danish and Finnish Red Cross societies and other agencies in its efforts to help those in distress. In the face of such a situation, it was clearly necessary to consider, at the regional, continental and international levels, a global approach to conflict resolution and prevention. She reaffirmed her Government's commitment to the cause of refugees. Namibia even took in a certain number of refugees from countries other than neighbouring ones, who were attracted by its political stability and the fact that they were treated in accordance with the 1951 Convention and the 1967 Protocol and the guidelines contained in the 1969 OAU Convention; that treatment had been further improved in 1999 with the adoption of the Refugee Recognition Act.

31. U ZAW TUN (Observer for Myanmar), referring to the question of Myanmar nationals residing in Thailand, said that a clear distinction should be made between those who had left their country for purely economic reasons and members and sympathizers of the Karen National Union (KNU) and their families, who had had quite different reasons for leaving the country. The first group were economic refugees who had been tolerated by Thailand, but were now trying to return to Myanmar. However, under current legislation, the Government was obliged to refuse to allow them to do so. On the other hand, it authorized the return of KNU ex-combatants who agreed to lay down their arms and even provided assistance to enable them to reintegrate into civilian life. So-called students receiving external support were also in that category. Every State was free to legislate as it wished on the question of economic immigration and that international activities to help refugees and displaced persons should respect the sovereignty of States. It was up to Myanmar and Thailand to resolve the problems arising in that connection jointly, in a spirit of cooperation and mutual understanding.

32. Mr. PETÖCZ (Observer for Slovakia), thanking Mrs. Ogata for all the years she had dedicated to extremely complex humanitarian tasks, said that he supported the recommendations she and the United Nations Secretary-General had made in their opening statements to the effect that UNHCR should make the security of humanitarian staff its highest priority.

33. The number of migrants into European Union countries, including Central European countries, was growing and both the 1985 Schengen accords and the 1990 Dublin Convention should be an encouragement to the affected States to strengthen their cooperation in that area in political, economic and legal terms. For its part, Slovakia had for several years been making efforts to solve the problems associated with granting the right of asylum in its territory and to provide assistance to refugees, for example, by granting temporary protection to 2,000 refugees from Bosnia and Herzegovina during the 1990s and promulgating the Refugee Act in 1996 - later amended - which included all the principles of the 1951 Convention and the 1967 Protocol. Thanks to UNHCR support in those various areas, Slovakia could now boast of having reached the level of Europe's developed democratic States in the matter of refugee protection.

34. Mr. AL-DOURI (Observer for Iraq) congratulated Mrs. Ogata on her inestimable work in the humanitarian field and drew attention to the wholly tragic effects of the cruel embargo which had been imposed by the United States and the United Kingdom since August 1990 and had triggered large population flows. According to figures provided by UNHCR, there were now 130,000 refugees in Iraq. UNHCR was working in many of the camps in the country, but its budget for Iraq was very limited and, in any case, proportionately far lower than its budget for another Middle Eastern country. Moreover, in defiance of the logic that prevailed everywhere else, refugees in Iraq were often better off than Iraq's own nationals, for they received UNHCR assistance in addition to their regular ration card. Iraq therefore urged UNHCR to denounce the embargo, which was resulting in mass population displacements.

35. He strongly condemned the repression and cruel war being waged on the Palestinian people, which had already claimed many victims, including women, children and elderly people. He hoped that the Executive Committee would condemn the organized violence being directed against the Palestinian people at the instigation of Zionist groups.

36. Mr. WOLDEGIORGIS (Observer for Eritrea) praised Mrs. Ogata's devotion to the cause of refugees and expressed his delegation's deep sorrow at the crimes recently committed against UNHCR staff. UNHCR had made pleasing progress and now seemed to be addressing long-term development beyond emergency humanitarian aid and making efforts to find comprehensive, durable solutions to the refugee problem. Nevertheless, that aim could be achieved only if adequate structures were put in place to strengthen coordination among the various parties and to promote peace and security at the national and international levels. In addition, care should be taken not to exclude whole categories from emergency relief operations and development assistance. Assistance should be provided to internally displaced persons as well as to refugees and to host countries as well as to countries of return and countries experiencing significant population displacement. All those countries played an important humanitarian role, frequently at the expense of their economic and social health.

37. Despite its troubled past, Eritrea was once again the setting for a serious humanitarian crisis that had prompted more than 1 million of its inhabitants to leave their homes and head

either for other areas of the country or for other States; that had represented a setback to the voluntary repatriation plan that was to have allowed Eritrean refugees who had been in Sudan since the war of independence to return home. Despite the difficulties, the Government had done its best to improve the situation of Eritrean nationals and many of the refugees or displaced persons had spontaneously returned home after the cessation of hostilities. The problem of long-term refugees was still receiving attention and should at long last be resolved with UNHCR's help and that of Sudan, which was working closely with Eritrea on the issue through its Commission for Refugees. The situation in Eritrea remained desperate, however, and he called on the international community to provide generous emergency assistance to his country and to allocate funds to UNHCR to enable it to fulfil its mandate.

38. Ms. NASCIMBENE DE DUMOND (Argentina) associated herself with the tributes already paid to Mrs. Ogata for her work in UNHCR and strongly condemned the murder of UNHCR staff members working in West Timor and Guinea. The security of United Nations staff members and humanitarian workers was of the greatest concern to Argentina, which, on assuming the Presidency of the United Nations Security Council in February 2000, had taken the opportunity to initiate a debate on the issue in the Council and had spoken on the subject at the Millennium Summit. In view of the increasing risks, she welcomed the fact that the Rome Statute of the International Criminal Court provided that acts of violence against humanitarian workers should be considered war crimes and called for concrete measures, including legislative measures, to be taken to ensure the security of those involved.

39. Recalling that the notion of the right to asylum had already been defined in several Latin American regional instruments that predated the 1951 Convention, she said that Argentina which had a long tradition of hosting refugees, had decided to celebrate the fiftieth anniversary of the Convention with a number of public events. She also welcomed the MERCOSUR initiative on the harmonization of the region's legislation on international protection and supported UNHCR's proposal to organize global consultations on that subject.

40. Mr. AMAT FORÉS (Observer for Cuba) expressed his gratitude to Mrs. Ogata, who had never faltered in her efforts or betrayed her principles in acting to meet the enormous challenges regarding refugees, despite the lack of material and financial resources. Since the High Commissioner's visit to Cuba in May 2000, the links between Cuba and UNHCR had become closer. Nevertheless, UNHCR should raise the level of assistance for the many refugees from Africa and Latin America living in Cuba, since the Government was finding it difficult to shoulder the burden alone as a result of the economic difficulties the country was facing owing to the embargo.

41. He also pointed out that it was the poor southern countries that were most affected by the refugee problem. The situation reflected the inequities of the international order and could be put right only by bilateral and multilateral action leading to concrete commitments. It was also necessary to preserve the purely humanitarian, apolitical nature of UNHCR and strictly apply the principles established in its Statute, the relevant General Assembly resolutions, the 1951 Convention and the 1967 Protocol, particularly in view of the blurring of the distinction between economic migrants and refugees. Similarly, it was essential to abide strictly by the

principles currently applied on assistance to internally displaced persons, which should be granted only at the request of the United Nations Secretary-General or the competent bodies and on condition that the State in question gave its consent.

42. Ms. PARPAROVA (Observer for Bulgaria) endorsed the statement made by the representative of France on behalf of the European Union. She recalled that, when the south-east European refugee crisis had broken out, Bulgaria, as country of first asylum, had granted temporary humanitarian protection to all asylum-seekers arriving in the country. The Bulgarian Government had even gone so far as to take responsibility for a refugee camp located in Macedonia, in the knowledge that the stability of the Balkans, the future of the Dayton Accords and the creation of a multi-ethnic society in Kosovo depended on solving the refugee problem. In that regard, Bulgaria was grateful to UNHCR and the European Union for having helped it carry out its plan to improve refugee reception procedures. With UNHCR help, the Bulgarian Police Academy had set up the region's first refugee rights training centre, which had already been attended by 1,000 police officers. Lastly, she reported the entry into force in 1999 of Bulgaria's Refugee Act, which incorporated the highest standards of European legislation on refugee protection.

43. Mr. CHOLPONKUL (Observer for Kyrgyzstan) said that the current session was of enormous importance for Kyrgyzstan, coinciding as it did with the fiftieth anniversary of UNHCR, an organization that had done so much to help create the international refugee protection system. For its part, the Kyrgyz Government had continued with its work on behalf of refugees and other categories of migrants: decrees setting out the national policy on migration procedures had been issued and draft legislation on refugees was soon to be considered - all of which would make it possible to establish a legal framework for refugee protection. In that regard, the Government counted on the aid and support of UNHCR and the International Organization for Migration (OIM).

44. Despite its economic difficulties, Kyrgyzstan continued to seek sustainable solutions to the problem of Tajik refugees. The two countries already had a draft agreement on a simplified naturalization procedure. On the question of security, he said religious extremist groups, which were growing more numerous as the war in Afghanistan intensified, were making forays into Kyrgyzstan. The Government was grateful to UNHCR for helping it set up border controls, but would like it to become more involved in the area of prevention. He welcomed the decision to follow up the CIS conference and requested UNHCR to facilitate that process. Kyrgyzstan believed that a regional approach should be taken to solving problems common to all the Central Asian countries. Lastly, he said that Kyrgyzstan remained willing to take in, integrate and protect refugees, but that it was dependent on the support the international community was prepared to give it.

45. Mr. BETANCOURT RUALES (Observer for Ecuador) said that the time had come to reflect on UNHCR's activities and the challenges that awaited it in the next millennium. Looking back, there was little doubt that UNHCR had adequately fulfilled its mandate to provide international protection for refugees and seek lasting solutions to their problems. With regard to the challenges, UNHCR should continue to cooperate with other humanitarian organizations with the same vocation to implement strategies making it possible to provide immediate assistance to all those who needed protection. The establishment of a partnership of that kind

would enable UNHCR to improve its operational effectiveness and to ensure the security of its own staff, who worked in truly dangerous conditions. With regard to international solidarity, aid should be provided to the developing countries, which were the most affected by refugee crises. Lastly, he expressed his gratitude to UNHCR for having helped his country provide humanitarian assistance to displaced persons near the northern border of Ecuador.

46. Ms. NEGRU (Observer for the Republic of Moldova) said that the recent murders of UNHCR staff members had caused great distress in her country, but should not cast a shadow over the current session, which was of great importance because it coincided with the fiftieth anniversary of UNHCR. UNHCR and Moldova, which had begun to work together in 1995, had been cooperating more closely since 1997, when the UNHCR office had opened in Chisinau. The office had conducted several awareness-raising activities, gradually assuaging the doubt and reluctance of the Moldovan Government, until the possibility of the Republic of Moldova acceding to the 1951 Convention was now no longer as remote as it had been five years before. The various activities carried out by UNHCR in the Republic of Moldova were now bearing fruit: draft legislation on refugees had just been prepared and should be enacted during the current session of Parliament. The Government also intended to set up a national authority to deal with refugees' problems, but its financial difficulties obliged it to seek help from UNHCR and the international community in order to complete the project.

47. Meanwhile, pending the establishment of a regulatory framework, the Moldovan Government, which respected the principle of non-refoulement, was actively seeking solutions to the problems of asylum-seekers and refugees in its territory. The Ministry of the Interior had established a centralized refugee registration system and was preparing to introduce special identity cards for asylum-seekers. Unfortunately, a number of problems were beyond its control, including the consequences of the 1992 armed conflict. The unconstitutional self-proclaimed Republic of Transdniestria was still the main obstacle preventing the settlement of the problem of illegal migration and the main reason for the Moldovan Government's reluctance to accede to the 1951 Convention was the permeability of the country's eastern border. The Government was grateful for UNHCR's aid for displaced persons, but considered that only the strict implementation of the decisions of the OSCE summit in Istanbul on the withdrawal of Russian troops and armaments from the east of the country would really help to stem the flows of illegal migrants towards that region. It was also necessary to give some thought to the frozen Transdniestria conflict and ensure observance of the international standards applicable to displaced persons. Lastly, she hoped that the Executive Committee would take her statement into account when adopting the UNHCR programme budget for 2001.

48. Mr. KRISAFI (Observer for Albania) said that he wished to highlight the work done by UNHCR during the great humanitarian crisis in Kosovo, when some 1 million Albanians had been forced to leave their homes. That crisis had been a valuable experience, insofar as it had shown how UNHCR should cooperate with other organizations, donor Governments and other humanitarian actors in emergency situations. At present, cooperation and coordination efforts in the humanitarian field and in terms of reconstruction were continuing under the umbrella of the Stability Pact for South-Eastern Europe. Cooperation between UNHCR and the Albanian authorities focused on the implementation of quick impact projects aimed at rehabilitating infrastructure and building local capacity. In close cooperation with the Albanian Government, IOM, OSCE and the Council of Europe, UNHCR was also helping to tackle the problem of

transit through Albania by asylum-seekers, refugees, victims of human trafficking, etc. Another area of cooperation was the upgrading of relevant legislation, in particular asylum law. His Government was ready to support UNHCR in facing the coming challenges.

49. Mr. GUILLEN (Observer for Peru) said that his first thought with regard to the theme of the session had been that UNHCR's mandate had broadened since its foundation as a result of the many crises which it had faced and which had taken new and more complex forms in a globalizing world. Today more than ever, only by strict respect for the international legal order was it possible to combat arbitrary and selfish action. At the same time, the close interdependence that resulted from globalization required all members of the international community to join forces and share their resources in order to solve problems that had become international in scope. His delegation therefore welcomed the call by UNHCR for special consultations to be organized to promote the full implementation of the 1951 Convention. It wholeheartedly supported that initiative and was ready to make a constructive contribution to the dialogue.

50. He agreed with UNHCR that, if refugee problems were to be solved, humanitarian aid must be linked to sustainable development. Development aid was essential in tackling the root causes of refugees' flight from their countries. Preventive measures were needed, the most important of them relating to the promotion, protection and effective enjoyment of human rights. At the same time, it must not be forgotten that the crises that triggered mass population exoduses broke out basically in poor countries, which were the very ones that also had to take in ever-growing numbers of refugees. It was therefore important to help them eliminate the causes of those crises and regain their political and social stability.

51. Mr. MADI (Observer for Jordan) said that refugees' problems could be resolved only by addressing their root causes, through action on many fronts to respond to refugees' basic needs, assist them to return home and prevent the outbreak of new crises. Although Jordan had not signed the 1951 Convention or the 1967 Protocol, it stood ready to continue to provide assistance to refugees, in accordance with the principles embodied in those two instruments. It had never turned away a single asylum-seeker, as UNHCR could confirm. Nevertheless, donors should help developing countries, which were obliged to cope with ecological and demographic problems, strains on their infrastructure and threats to their stability as a result of refugee crises. The Government of Jordan welcomed the cooperation it had received from UNHCR in connection with Palestinian refugees. In that regard, he recalled that 1.5 million Palestinian refugees had passed through Jordan and that the effects of that crisis were still being felt. Lastly, he drew attention to the suffering of the Palestinian people as a result of Israel's violence, which the Executive Committee should condemn.

The meeting rose at 1.05 p.m.

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EXECUTIVE COMMITTEE OF THE PROGRAMME OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES

Fifty-first session

SUMMARY RECORD OF THE 548th MEETING

Held at the Palais des Nations, Geneva,
on Wednesday, 4 October 2000, at 3 p.m.

Chairman: Mr. MOLANDER (Sweden)
(Vice-Chairman)

later: Mr. KHORRAM (Islamic Republic of Iran)
(Chairman)

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ANNUAL THEME: UNHCR@50: FROM RESPONSE TO SOLUTIONS (continued)

REPORTS ON THE WORK OF THE STANDING COMMITTEE

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In the absence of Mr. Khorram (Islamic Republic of Iran), Mr. Molander (Sweden), Vice-Chairman, took the Chair

The meeting was called to order at 3.10 p.m.

ANNUAL THEME: UNHCR@50: FROM RESPONSE TO SOLUTIONS (agenda item 4) (continued) (A/AC.96/938)

1. Mr. ALFELD (South Africa) said that South Africa was grateful for the assistance provided by the Office of the United Nations High Commissioner for Refugees (UNHCR) in connection with the return of South African exiles and the repatriation of Mozambican refugees and was proud to have progressed, within the space of a decade, from being a refugee-producing to a refugee-receiving country. UNHCR had provided valuable assistance in South Africa's national and regional refugee policy formulation and implementation efforts, ongoing awareness-raising campaigns to address rising levels of xenophobia and action to reduce the sizeable backlog with regard to refugee status determination.

2. His Government was aware that African countries needed to put their own house in order by strengthening their domestic capacity to prevent and resolve conflicts. That goal could be attained if African countries resolutely implemented the ambitious timetable of the Comprehensive Implementation Plan which had been devised at the recent Organization of African Unity (OAU)/UNHCR meeting to commemorate the thirtieth anniversary of the OAU Refugee Convention. His Government called on UNHCR to promote the Plan and urged donors to consider supporting it.

3. It was a matter of concern that Member States once again seemed incapable of funding a budget at a level which they themselves had determined. Recent innovations such as streamlined appeals, pledging and reporting mechanisms, and improved priority-setting had not yielded the required predictability of funding. It was important not to rely excessively on the principal donors to set priorities, thereby negating the needs and contribution of developing countries which hosted large refugee populations. South Africa would endeavour to maintain its modest level of financial support for UNHCR, which was probably the highest in the developing world, and commended the decision to use the fiftieth anniversary of UNHCR to launch the Refugee Education Trust and provide post-primary education to adolescent refugees.

4. South Africa roundly condemned the recent brutal murders of UNHCR staff in West Timor and Guinea. Those attacks and the concerted effort by the United Nations to address the issue of staff safety had awakened his Government's desire for urgent action, starting with the ratification of the 1994 Convention on the Safety of United Nations and Associated Personnel.

5. Mr. KESANG (Observer for Bhutan) said that Bhutan deplored the recent murders of UNHCR staff. It was important to distinguish between genuine refugees and illegal economic migrants. Squandering the scarce resources of UNHCR on the latter would simply encourage illegal migration while depriving refugees of the assistance they so desperately required.

6. In her opening statement, the High Commissioner had referred to the problem of Bhutanese refugees in Nepal. Certain parts of her statement might be misconstrued as implying that Bhutan had rejected the use of UNHCR's database and the UNHCR proposal on verification. On the contrary, Bhutan had requested the High Commissioner to make the database available to the Nepalese and Bhutanese Governments. A comprehensive list had now been drawn up which would facilitate verification of the people in the refugee camps. In that connection, it should be noted that Bhutan had also agreed to use, on a trial verification basis, a list of 3,056 people provided by UNHCR in November 1998, but the list had been rejected by Nepal.

7. Bhutan believed that the identity of the people in the camps had yet to be established and the matter was currently the subject of bilateral discussions between the two Governments. Reference to the people in the camps as "Bhutanese refugees" prejudged the outcome of the verification process. Both Governments agreed that not all the people in the camps were actually from Bhutan.

8. The question whether every adult aged over 18 should be individually verified was the subject of bilateral negotiation. Bhutan believed that, if all persons under the age of 25 were exempted from verification, as suggested by UNHCR, very large numbers of adults in the camps would remain unaccounted for. After all, the basic cause of the problem was illegal immigration and, in the past, the family unit had been abused as the main conduit for illegal immigration into Bhutan. It should also be noted that, in the last 50 years, Bhutan had taken in many displaced people of Nepalese origin, who currently made up 25 per cent of the national population; those individuals were now fully integrated into Bhutanese society. A further influx would overstrain the country's social and economic fabric and threaten its sovereignty.

9. Mr. NAZARIAN (Observer for Armenia) said that, following the collapse of the Soviet Union in the early 1990s, UNHCR and the donor community had mobilized to deal with regional issues in the Commonwealth of Independent States (CIS). The result had been the 1996 CIS Conference to address the problems of refugees and displaced persons. Through its Programme of Action, a process of regional cooperation had been launched to respond to the needs of up to 9 million displaced persons in the former Soviet Union.

10. Armenia was anxious to draw the attention of the donor community to the plight of its refugees and internally displaced persons. His Government had pledged to provide refugees with accommodation and employment in order to facilitate their integration into society. However, the resources currently available were insufficient for the task at hand, even when combined with assistance from UNHCR, the International Organization for Migration (IOM) and other international organizations. Accordingly, Armenia looked to the donor community for assistance in coping with its refugee problems.

11. Although the international community had been active in extensive resettlement projects in the Caucasus region, none of the projects involved Armenia, where the problem of temporary accommodation was particularly acute. His Government was currently working with UNHCR to encourage the voluntary repatriation of refugees and their assimilation into new communities,

although funding for the project was extremely limited. Humanitarian actors such as UNHCR, other United Nations agencies and international financial institutions had a vital role to play in ensuring that solutions to refugee problems were sustainable.

12. Prince SOBANDLA (Observer for Swaziland) said that a range of activities connected with refugees had been organized in Swaziland during the past year, including a candlelight prayer service demonstrating the refugee community's solidarity with national efforts to fight HIV/AIDS; the launch of a public-awareness campaign to illustrate the plight of refugee children and promote tolerance and compassion; the dissemination of the 1951 Convention relating to the Status of Refugees in a version tailored specifically to a Swazi readership; and various refugee-centred Reach Out initiatives in the media. In addition, Swaziland had acceded to the 1951 Convention and other relevant international instruments.

13. Mr. THIONUE (Observer for Senegal) said that he wished to convey the condolences of the Senegalese Government to the families of the recently murdered UNHCR staff members. UNHCR should ensure that its objectives and resources were better adapted to strengthening the protection of refugees and displaced persons. Senegal believed that responses and solutions to the refugee problem necessitated a comprehensive and integrated approach that took account of the interrelationship between development, peace and forced migrant flows. In Africa, poverty and political tensions were real threats to peace and led to violations of human rights and humanitarian law. An increase in official development assistance (ODA) was needed to counteract the instability and violence that precipitated refugee movements.

14. Such an approach required the involvement of other actors and stakeholders such as non-governmental organizations (NGOs), regional organizations and the private sector. In the same vein, UNHCR should continue to cooperate with OAU in order to avert and resolve conflicts. To be effective, humanitarian action had to be combined with real political solutions and ongoing efforts to encourage peace and development. Forecasting and post-conflict rehabilitation were other important areas of activity for UNHCR and it was vital to ensure that host countries did not themselves become potential breeding grounds for tension. Senegal was firmly committed to the institution of asylum and called for it to be strengthened.

15. Mr. SUTOYO (Observer for Indonesia) said that his Government strongly condemned the recent attack on the UNHCR office in Atambua in which three UNHCR officials and six Indonesians had been killed. Any threat to the physical well-being, let alone the brutal murder, of humanitarian workers in Indonesia was utterly unacceptable. At the same time, however, there was no evidence that the UNHCR staff in question had been kidnapped and any claim to the contrary was inaccurate.

16. The prolonged presence of refugees in camps along the border of any State created a host of humanitarian and other problems. The continued existence of such camps caused hardship to refugees and uncertainty about their future. At the national level, refugee camps imposed a heavy economic and social burden on a host State and potentially endangered relations with other countries. Indonesia had a good record of harbouring refugees and other displaced persons, notably boat people, and had willingly cooperated with UNHCR in repatriation and resettlement programmes. In the same spirit, his Government was anxious to work with UNHCR to resolve

the acute problem of the remaining East Timorese refugees in Indonesia. A comprehensive solution could be achieved only through concerted efforts and shared responsibility and, to date, approximately 155,000 refugees had been safely returned to East Timor.

17. Wishing to inject fresh momentum into the repatriation process, Indonesia had devised a Comprehensive Plan of Action which took account of the views of relevant international agencies. Two key elements of the Plan were the registration of the remaining refugees and respect for freedom of choice. Many refugees were intimidated by the choices confronting them and harboured lingering doubts about their security. Some had strong emotional ties with Indonesia. Accordingly, concerted and focused efforts were required to accelerate a comprehensive solution to the East Timorese refugee problem in accordance with strict deadlines. His Government would ideally like to see the closure of all refugee camps along the border within three to six months. Reconciliation efforts were a vital component of that strategy.

18. Mr. TANDAR (Observer for Afghanistan) said that, as a result of foreign invasion and occupation and the rule of the Taliban militia, more than 10 per cent of the world's refugees were Afghans. Some had been in exile for 20 years.

19. The Taliban could only be described as a refugee-creating force. Their scorched-earth policy forced thousands to leave the country and had displaced more than 100,000. All access to humanitarian assistance was blocked.

20. Physical and legal security were required for the Afghan refugee crisis to be brought to an end. The return of the refugees would not be possible as long as the minimum conditions were not in place: respect for human rights and minorities, the rule of law and the restoration of democracy. The Taliban were waging war on the Afghan people. However, they could not continue to do so without Pakistan's help in the form of men and arms. He therefore called on the international community to demand an end to that interference and thereby put an end to the rule of the Taliban.

21. Ms. SANCHEZ REYES (Nicaragua) said that, although Central America continued to suffer the consequences of its armed conflicts, the period when so many had been forced out of their homes or countries for political reasons was now behind them, thanks to the cooperation of the international community and other key actors. That process of reconciliation and reintegration was now a rich source that could be tapped for new solutions.

22. Durable solutions depended on international solidarity in efforts to protect refugees and their dignity. All parties, countries of origin, host countries and donors alike, needed political will and international organizations, civil society and financial institutions required coordination. She commended UNHCR for its work in establishing the necessary links and those countries that had worked to find joint solutions or had responded not only to "topical" situations, but also to situations where the need was real.

23. The year 2000 was the International Year for the Culture of Peace and she called on the international community and the United Nations system to endorse the Declaration and

Programme of Action on a Culture of Peace adopted by the General Assembly as a means of healing the scars left by years of armed conflict and laying the foundations for the society of the future.

24. The Government of Nicaragua expressed its condolences for the recent deaths of the four UNHCR staff members. It was unacceptable that humanitarian personnel working in the field, who were already exposed to many dangers, should also become the targets of violence. Her Government called on the international community to bring those responsible to justice.

25. Lastly, she said that development was essential in solving refugee problems following violent conflict: efforts had to be made to repair the extensive damage caused to the economy, society and the infrastructure through the strengthening of institutions and investment.

26. Mr. DJINNIT (Organization of African Unity) said that Africa continued to host the largest number of refugees and displaced persons in the world. One reason why those numbers remained high was that voluntary repatriation was frequently hampered by fresh influxes caused by conflict or natural disaster.

27. OAU was concerned at the compassion fatigue now displayed by African peoples: their own deteriorating socio-economic conditions made the seemingly endless burden imposed on countries of asylum unbearable. Equally disturbingly, refugees were now being used as instruments of war and were becoming a source of conflict between States. The xenophobia and hatred such situations generated made humanitarian work even more difficult and dangerous and he paid homage to all humanitarian workers who had been killed in the field.

28. Yet Africa had played its part in addressing the root causes of the problem of refugees and displaced persons. Africans at all levels made daily sacrifices in attempting to quench the fire of conflict ravaging their societies and economies and undermining development. They should not be left alone to face the challenge. The assistance extended to refugees and displaced persons in Africa must be commensurate with their plight and their tragedy must be addressed with the same commitment as tragedies elsewhere. He called on the international community to provide UNHCR and other humanitarian organizations with the resources required.

29. OAU, for its part, remained committed to that cause and was ready to shoulder its share of the burden. It would continue to work closely with UNHCR in implementing joint programmes.

30. Mr. LADEKARL (International Council of Voluntary Agencies) said that non-governmental organizations deeply regretted the recent killings of UNHCR staff and wished to convey their condolences to their families and relatives.

31. The interdependence between United Nations and non-United Nations humanitarian workers with regard to security was obvious to those working in the field. ICVA welcomed any dialogue with United Nations agencies that adopted a different approach from the centralized, legalistic, top-down approach that had hitherto dominated relations in security matters. Such dialogue should also address the position of the humanitarian staff of national NGOs: recent reports of the killing of 11 NGO staff in Guinea, for example, had gone largely unnoticed.

32. Humanitarian workers' security depended on the quality of protection provided to refugees and displaced persons. If refugees were unprotected and insecure, humanitarian workers were vulnerable too. Yet Governments' respect for the basic principles of refugee protection continued to decline.

33. ICVA therefore welcomed UNHCR's initiative to hold Global Consultations on the refugee protection regime. The Consultations could benefit from the extensive involvement of both NGOs and refugees themselves.

34. Resettlement and local integration were solutions that should be considered alongside voluntary repatriation. However, to be durable, they required increased commitment and financial support from the international community. Resettlement, for example, should be separate from and additional to the provision of asylum. Resettlement quotas should not be set in relation to the numbers of asylum-seekers, but should be a voluntary contribution by States to UNHCR's search for durable solutions.

35. NGOs were disappointed that the paper on the annual theme (A/AC.96/938) made little reference to crucial partnerships between UNHCR and NGOs or to the progress being made with the PARinAC process.

36. ICVA suggested that UNHCR should focus more on protection activities. In responding to crises, its priority should be to mobilize "armies" of protection officers and it should rely on other partners to provide the assistance that was needed.

37. Mr. KASTBERG (United Nations Children's Fund) said that the recent killings of UNHCR staff had been doubly grievous because not only had friends and colleagues been lost, but an attack on humanitarian workers was an attack on the humanitarian imperative itself. Despite the seemingly intractable problems, however, long-term solutions could be found if the political will was there to turn legal obligations into action and if national commitment was combined with sustained international support.

38. UNICEF and UNHCR should collaborate more closely on substantive policy development, as well as programme implementation. UNICEF worked with children within countries before, during and after the crises that led to their displacement. It worked in countries of origin, as well as in countries of asylum, and, together with UNHCR, it could help find long-term solutions.

39. Protecting children in conflict required, first and foremost, accountability and an end to impunity, without which the vicious circle of human rights violations against children could not be broken. UNICEF urged speedy ratification of the Statute of the International Criminal Court and welcomed Security Council resolution 1314 (2000), calling for violators of child rights to be excluded from amnesties under peace agreements.

40. Secondly, if refugee children were to have a viable future and benefit from long-term solutions, they must be protected from HIV/AIDS, which was recognized by the Security Council as a global threat to peace and security.

41. Thirdly, education was an essential element in the context of long-term solutions. It provided an environment of relative stability and normality for children amid the vicissitudes of war, enabled them to acquire basic skills for use in the future and offered an alternative to recruitment by military forces. Without education, most refugee children would have only a minimal chance of re-establishing their lives.

42. UNICEF believed that leaders in every sector of society must find the courage to shape the new consensus, according children the highest priority in all actions before, during and after conflict. UNICEF, for its part, pledged to work with UNHCR and other agencies to help reduce refugee problems before they started, moving from response to solutions and, ultimately, from solutions to prevention.

43. Mr. LAMB (Observer for the International Federation of Red Cross and Red Crescent Societies) expressed the profound shock that the Federation had felt on hearing of the recent murders of UNHCR field staff and extended its sympathy to UNHCR and its staff, to the families and friends of those murdered and to their government representatives. The Red Cross/Red Crescent movement had itself recently lost an ambulance driver, a member of the Palestine Red Crescent killed in the course of his humanitarian duties in Gaza. The Federation would be glad to work with other organizations to help find answers to the question of security. However, Governments needed to demonstrate clearly that they had the political will to allow those answers to be implemented.

44. The Federation's fieldwork was based largely on the efforts of volunteers and it was they who made it possible to deliver what had been promised. Volunteers were as much at risk as international workers and most of those who had been injured or killed in the course of Red Cross/Red Crescent work were nationals of the country concerned. It must be remembered that the action taken and the opinions expressed in public by any agency, organization or Government had a direct impact on the security of humanitarian workers.

45. The international response to the plight of internally displaced persons was still largely made on a case-by-case basis. For that reason, the recently launched Senior Inter-Agency Network on internal displacement was a welcome initiative and the Federation looked forward to working with the new Special Coordinator on Internal Displacement.

46. Ensuring effective protection for refugees and people in refugee-like situations required constant attention from all concerned. National Red Cross and Red Crescent Societies could play a useful role in situations of internal displacement owing to their legal status in all countries as autonomous humanitarian institutions. In particular, they could help plug some of the gaps through which the most vulnerable of those displaced could and did fall. The Federation also welcomed UNHCR's "Reach Out" initiative, which involved Governments, the Red Cross/Red Crescent and NGOs more fully in protection.

47. Every effort would be made to link the work of the national Societies to that of UNHCR and other agencies. Interesting developments were also taking place at the regional level: one such initiative was the Platform for European Red Cross Cooperation for refugees, asylum-seekers and migrants.

48. Mr. MOUNTAIN (Office for the Coordination of Humanitarian Affairs) said that the recent deaths of fellow humanitarian workers had touched all colleagues deeply and their sympathy went out to the families, friends and colleagues of those murdered. Security was a long-standing concern of United Nations teams in countries in crisis and the Inter-Agency Standing Committee (IASC) was working to improve cooperation in security matters between United Nations agencies and NGOs.

49. Coordination meant ensuring that the efforts of the humanitarian community had a maximum impact on those affected by crises. The inter-agency consolidated appeals process had lately developed, thanks in large part to UNHCR's active contribution, into a comprehensive field-driven instrument for strategic planning involving the United Nations system and, increasingly, NGOs and donors. Yet even that did not seem to be enough to produce the resources needed to respond to multiple crises. OCHA was deeply concerned at the drop in coverage for the year, which had reached only just above 47 per cent, as compared with 62 per cent at the same time the previous year.

50. Internally displaced persons accounted for the bulk of the need and represented a major humanitarian issue. It was basically the responsibility of host countries to respond to that need, but support from the international community was often indispensable, especially when authorities were unable or unwilling to do so. Internal displacement had been a major issue for IASC over the past year and it had agreed that efforts to improve assistance and protection for internally displaced persons at the country level should be stepped up. Coordination of the United Nations system response at the country level should remain the responsibility of the Humanitarian or Resident Coordinator.

51. UNHCR's help had been particularly valuable in establishing the new Senior Inter-Agency Network, which would make proposals for improving the response to the needs of internally displaced persons in selected countries. It had also made available a senior and very experienced official to serve as Special Coordinator on Internal Displacement within OCHA.

52. Lastly, he said some progress had been made on bridging the persistent gap between relief and development, whether in the aftermath of a natural disaster or following the political solution to an armed conflict, through the development of transitional appeals and of a set of policies at the inter-agency level.

53. Mr. KRISTOFFERSON (Joint United Nations Programme on HIV/AIDS (UNAIDS)) drew attention to Security Council resolution 1308 (2000), which recognized that, if unchecked, the HIV/AIDS pandemic could have a uniquely devastating impact on all sectors and levels of society and that it was exacerbated by conditions of violence and instability, which increased the risk of exposure to the disease through large movements of people. HIV/AIDS was now one of the main threats to human survival. The pandemic had also produced over 13 million orphans, who were easy targets for militia and other armed forces, who could cause further civil disruption and create further refugee flows. Moreover, it was recognized that refugee populations were particularly at risk, for a host of reasons, and the cooperation framework between UNAIDS and UNHCR must therefore be fully implemented.

54. UNAIDS had been given the task of formulating a comprehensive plan of action on how to address HIV/AIDS problems in conflict situations, with special emphasis on the destabilizing threats posed by the disease. The plan would be put into effect within two or three months, depending on the availability of resources, and would initially involve 12 countries in conflict or post-conflict situations.

55. He hoped that the Executive Committee would take the action necessary to ensure that the sacrifices made by humanitarian workers did not include their lives.

56. Ms. CONTAT HICKEL (International Committee of the Red Cross (ICRC)) said that UNHCR and the International Red Cross and Red Crescent Movement had always shared a close relationship based on their desire to uphold standards of protection and the fiftieth anniversary of UNHCR was an opportunity to review their shared concerns.

57. One concern was that legal standards were being flouted on a large scale, as the civilian population was increasingly being used for military and political purposes in armed conflicts, which had become the main cause of population movements. International humanitarian law, refugee law, notably the 1951 Convention relating to the Status of Refugees, and human rights law provided essential and complementary protection for individuals. Thus, both refugees and displaced persons were protected, as civilians, by international humanitarian law. However, States had an individual as well as a collective responsibility to respect and to ensure respect for international humanitarian law and to prosecute persons suspected of grave breaches of that law. ICRC was prepared to participate in any consultations on the implementation and development of international humanitarian law that might be initiated within the framework of the fiftieth anniversary of the 1951 Convention.

58. Another concern was the safety of humanitarian staff, as witnessed by the recent murders of four UNHCR staff members and the death of an ambulance driver from the Palestinian Red Cross in Gaza. The failure by many warring parties to recognize the special status of humanitarian workers might well make it impossible to provide protection and assistance to the victims of armed conflicts and thus to carry out the work entrusted to ICRC and UNHCR by the international community.

59. A further concern was the need for cooperation between States, the United Nations and humanitarian organizations in order to provide an effective humanitarian response based on a clear understanding of their roles and mandates. ICRC had established contact with political and military organizations and also with financial institutions such as the World Bank with a view to promoting long-term solutions. At the annual high-level UNHCR/ICRC meeting held in May 2000, the two organizations had drawn up a clear division of labour on the basis of their respective expertise and capacity.

60. Humanitarian organizations needed to be well-managed to operate in a complex environment and to face the problems of threats to their staff and lack of funds. Good humanitarian management balanced short-term and long-term objectives, guaranteed that training requirements were met, despite the reduced resources available, and ensured that what had been learned was applied to new situations. The challenge facing humanitarian organizations and States was to achieve security, effectiveness and sound cooperation.

61. Mr. Khorram (Islamic Republic of Iran) took the Chair.

62. Ms. MORENO FONTES (International Labour Organization (ILO)) said that there were major areas of convergence between the work of UNHCR and the ILO, as both were concerned with the protection of people who found themselves in countries other than their own. However, it was becoming more difficult to distinguish clearly between labour migration movements and refugee-like situations in the cases of labour migrants asking for asylum, refugees who went to countries as migrants to avoid problems with the authorities or retaliation against their family in their home country, refugees who overstayed their asylum-seeking period and people fleeing ecological disasters. At the same time, the human rights of refugees and migrants were being increasingly violated. The ILO would be pleased to work with UNHCR on developing strategies and measures to combat the illegal trafficking of migrants and refugees.

63. The slow rate of ratification of international standards on the protection of the basic rights of international migrants over the past decade was a source of concern. All persons in an irregular situation, whether they were migrant workers or refugees, should enjoy minimum protection. The World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance would be an excellent opportunity to stress the urgent need to implement United Nations and ILO standards against discrimination and on the protection of migrants. The tasks of preparing, implementing and following up strategies to combat discrimination against migrants could be shared among international agencies. She looked forward to further cooperation with UNHCR to increase their understanding of the close relationship between asylum and refugee protection issues and the broader dynamics of international migration.

64. Mr. SCHATZER (International Organization for Migration (IOM)) said that, as one of UNHCR's partners in many of the operations illustrated in the background paper on the annual theme (A/AC.96/938), IOM had also had to face new challenges. International organizations needed to cooperate in the increasingly complex task of providing protection and assistance to people living outside their home countries or regions. IOM was now cooperating with UNHCR in the search for solutions to the problems of those caught up in mixed flows, with mixed motives and under mixed regimes of international and national law. He welcomed the efforts by UNHCR to reaffirm the importance of the 1951 Convention and the consultations it had organized on refugee protection, particularly those on gaps in protection and those involving the intersection of migration and refugee concerns.

65. As the movement of people, information and capital became easier, Governments were increasingly faced with the phenomenon of irregular migration and its subsidiary forms, including migrant trafficking and smuggling, as well as human rights abuses and the misuse of asylum procedures. IOM offered services to Governments to help them address the problem of irregular migration while at the same time protecting migrants' rights. A concerted migration management approach could usefully be explored as a means of alleviating the strains on the refugee protection system.

66. International law must be strengthened to enable humanitarian workers to carry out their already difficult tasks. Ways must be found to better protect them, punish the perpetrators and sanction States that were unwilling to prosecute those who abducted, tortured or murdered

humanitarian workers. Given the current state of the planet, UNHCR and IOM still had much work to do in the areas of refugee protection and the orderly management of migration, respectively.

67. Mr. DE BOICE (United Nations Development Programme (UNDP)) paid tribute to Mrs. Ogata for the way she had faced up to the tremendous political and security challenges that had emerged in the field of humanitarian assistance in the wake of the cold war and for going beyond considerations limited to protection and assistance to confront the issues of prevention, sustainable solutions and the rehabilitation of returnees. She had also drawn attention to the gap between emergency relief and longer-term development, which needed to be addressed more concretely. Progress had been made in both the so-called "Brookings process" and the Inter-Agency Standing Committee on ways to overcome that gap, but humanitarian and development actors must seek new ways to reduce both the risk of violent conflict and the vulnerability of populations to dislocation.

68. The United Nations system was increasingly recognizing that it was imperative to strengthen capacities and relationships within and between its various operational entities in order to maximize their contributions in extremely volatile situations or those where there was no peace, but no war. Those entities were already tackling the conceptual and practical difficulties involved in forming effective coalitions to address the complex problems in those situations and other grey areas; it was time to take stock and draw the various initiatives together and address the challenges identified in the background paper to the annual theme (A/AC.96/938). UNDP was currently examining ways of effectively implementing the new and creative partnerships with international and national actors that would be necessary to meet those challenges.

69. The CHAIRMAN, highlighting some of the main points made during the debate on the annual theme, said it was clear that the High Commissioner would be leaving UNHCR with a future of hope and challenges and a wonderful legacy on which to build that future. There had been many expressions of sympathy for the victims of the tragic events in Indonesia and Guinea. As the Secretary-General had noted, humanitarian workers were targeted "not in spite of being humanitarian workers … but precisely because of the fact". The chorus of condemnation and outrage that had been heard during the debate must be translated into action to ensure the safety of all humanitarian personnel.

70. The High Commissioner had highlighted five areas for future action: first, strengthening UNHCR's emergency preparedness and response capacity; second, creating a secure environment for refugee-populated areas and humanitarian operations; third, developing new approaches to complex forced population movements; fourth, bridging the gap between humanitarian and development assistance in the transition from war to peace; and, fifth, promoting coexistence in divided communities. Those areas were directly related to the solutions discussed in the paper on the annual theme, namely, strengthening the system of asylum, building partnerships, increasing security, linking humanitarian assistance and longer-term development, and promoting and building peace.

71. The comments during the debate had related to the causes of conflict, responses and solutions. In terms of root causes, many speakers had noted that a variety of factors could lead

to conflict and the resulting mass displacement. Those factors included poverty, the lack of development, ethnic hatred, greed and violations of human rights. In its responses to refugee situations, UNHCR had been called on to keep protection as its primary goal; considerable support had been expressed for strengthening the institution of asylum. The 1951 Convention relating to the Status of Refugees and its 1967 Protocol were considered the cornerstone of international protection and the launching of the Global Consultations had been enthusiastically welcomed as a chance to reconfirm that. Many speakers had recognized that UNHCR's response and surge capacity needed to be further strengthened and adjusted to increasingly complex emergencies. Cooperation between UNHCR and its partners, particularly member States, was increasingly essential to deal with the wide-ranging needs of refugees, while the needs of vulnerable groups within refugee populations required special consideration. There was agreement that there was an urgent and critical need to ensure the security of humanitarian workers and refugee populations caught up in conflicts. UNHCR's willingness to learn from past experience, as evidenced by the Kosovo evaluation, had been welcomed.

72. In terms of solutions, voluntary repatriation was seen as the preferred durable solution. The importance of local integration and resettlement had been recognized and the benefits that refugees brought to the society they lived in had been highlighted. Long-term solutions required the involvement of a wide range of actors. Many speakers had commented on the important contribution to be made by regional organizations. At the national level, more innovative ways of utilizing available resources needed to be found, while international organizations would need to adjust their programmes to the specific needs and circumstances of recipient countries.

73. Bridging the gap between humanitarian assistance and development aid was vital for post-conflict peace-building, but, to achieve that, increased and predictable levels of funding would be needed. Other important considerations were capacity-building, anchoring refugees in the communities they returned to and promoting the culture of peace and coexistence. All sectors of society, including refugees and returnees, needed to be involved in those activities and the needs of vulnerable groups must be borne in mind.

REPORTS ON THE WORK OF THE STANDING COMMITTEE (agenda item 5)

(a) INTERNATIONAL PROTECTION (A/AC.96/930 and 939)

74. Ms. FELLER (Director, Department of International Protection) said that the murder of UNHCR colleagues in West Timor and Guinea had overshadowed the current session of the Executive Committee and raised the question of how the contribution by humanitarian workers to the protection of refugees should be weighed against their own security. The vulnerability of humanitarian workers might well be the factor that determined the limits to protection in the increasingly complex environment in which UNHCR worked.

75. She wished to take stock of protection trends, examine the degree of commonality of problems and responses at the global level and give some details of the Global Protection Consultations to be undertaken in the period leading up to the fiftieth anniversary of the 1951 Convention relating to the Status of Refugees. In the annual "Note on International Protection" (A/AC.96/930), international protection had been approached from the perspective of how it was operationalized in the field. That comprehensive overview complemented the

perspective which had been presented to the Executive Committee a year previously and which had dealt with the major protection challenges, namely: to redress the deteriorating quality of asylum; to give new impetus to efforts to revitalize the protection framework; to strengthen partnerships; and to find solutions to refugee problems in which protection was an overarching consideration. She would now examine the problems in the delivery of protection which were experienced in different regions with a surprising degree of commonality.

76. The first major problem was how to ensure protection to refugees in mass influx situations. It was exceedingly difficult to provide effective protection when the exodus was the result of an unresolved conflict, the lack of authority of the parties to the conflict or the lack of accountability with regard to compliance with basic human rights. The safety of refugees, returnees and displaced persons had sometimes been seriously threatened when conflicts had spilled across frontiers. Some borders had been closed because of concerns about national security and the safety of the local population. Funding shortfalls aggravated the problem, especially as many refugee-hosting countries had limited resources. Refugee women, children and the elderly were at most risk.

77. In a number of traditionally hospitable asylum countries, the political, security and economic impact of protracted refugee situations had sorely tested the hospitality of the local population, provoking hostility and violence against refugees, often in the form of politically instigated racist and xenophobic attacks. In such situations, asylum fatigue, coupled with falling international support, had made any degree of local integration illusory. All around the world, the questions were the same: Who had responsibility for meeting protection needs? What guarantees were provided for the physical security of refugees? And for how long?

78. A second common problem concerned the protection of refugees arriving as individuals. Countries were increasingly worried about growing costs, the difficulties of applying refugee concepts to heterogeneous groups and the inability to return rejected asylum-seekers; the result was an increase in processes and regulations ever less compatible with the prevailing protection framework. A major concern for UNHCR and many States was to establish processes to identify those who deserved protection and those who did not. As with mass influx situations, there was a growing call for clearer criteria and responsibility-sharing, in all regions.

79. A third set of problems stemmed from the nexus between migration and asylum. Although the question of irregular migratory movements was not a refugee problem per se, it could affect the protection context when, for example, would-be migrants lacking regular migration options misused asylum processes or resorted to migrant smugglers or when laws introduced to control migration impeded access by refugees to systems for the proper determination of their claims. A major difficulty also arose where the magnitude of migration led to indiscriminate procedures and hostility to refugees. The question of how to disentangle refugees from the net of migration controls in a way which ensured their access to protection needed careful review.

80. A fourth set of problems related to the application of solutions. Voluntary repatriation remained the most desirable solution, but often took place in unsuitable circumstances, leading to fresh outflows. In protracted refugee situations, the will to find interim solutions could be lacking and, in some cases, local integration or even self-reliance opportunities were not fully

exploited. Resettlement was necessarily of limited applicability. UNHCR appreciated the generous quotas offered, but the use of resettlement as a burden-sharing mechanism needed closer examination. Indeed, delineating the interrelationship of the three traditional solutions should be an important issue for international discussion. Those issues had found some response in UNHCR's protection activities and had been extensively covered in the Note on International Protection (A/AC.96/930).

81. She reiterated the importance of partnerships to promote protection. The reachout process was coming to an end. Over the past year, the focus had been on NGO partners, with a view to encouraging them to accept a protection role involving not simply advocacy, but also monitoring, reporting, information-sharing and protection itself. A good example was the project agreement recently concluded with the International Rescue Committee in Pakistan. Many recommendations generated by the reachout process had helped in preparations for the Global Protection Consultations, as had other events such as the colloquium organized with OAU in Conakry earlier in the year.

82. The Global Protection Consultations, launched in the Standing Committee in July 2000, had been proposed in order to clarify the scope and content of protection. The importance of the 1951 Convention had been stressed, as had the need to focus on protection challenges not covered by it or the 1967 Protocol. The proposals had attracted strong support, with a certain degree of caution. Many Governments viewed the multilateral discussion of increasingly shared problems as valuable in itself. Widespread support was evident among members of the Executive Committee, whose latest session's Conclusion marked a radical departure, in form and content, from previous practice, focusing mainly on the endorsement of the Global Consultations. Some States, notably those advocating an agenda for change, had expressed reservations about too wide-ranging a process and had warned against drawing UNHCR into issues beyond its mandate. NGOs, too, had expressed doubts about including issues going to the heart of the interpretation of the Convention's provisions in an intergovernmental agenda.

83. On issues specific to the Convention, interest focused on the direction in which the law had recently developed, the better to show how the Convention was currently understood and applied. The intention was therefore to structure the discussion on issues relating to the Convention through round tables of experts from Governments, NGOs and academia. It was hoped that background papers could be published as a contribution to the fiftieth anniversary celebrations, which would offer States parties an opportunity to reaffirm their commitment, possibly at a major intergovernmental event.

84. With regard to issues not covered by the Convention, it was hoped that the Consultations could be conducted within the framework of the Executive Committee. Active involvement by all concerned was very important, since encouraging the international community to further cooperative efforts to deal with new or emerging problems was one of the key aims. The Consultations would focus broadly on the themes of refugee protection in mass influx situations, refugee protection through individual asylum systems, including the problems inherent in the migration/asylum interface, and the achievement of durable protection-based solutions. The overall theme was responsibility-sharing; in recent years, there had been so-called

burden-sharing schemes, such as the evacuation of Kosovars. It was hoped that the Consultations would not only define problems and identify new approaches or guidelines, but also reaffirm the existing principles developed and applied over half a century.

85. Ironically, protection was the issue most promoted in rhetoric and most disliked in practice. But it was UNHCR's central responsibility, although the exercise of that responsibility brought the Office into confrontation with States more than any other issue. One explanation was clearly the nature of protection itself, which imposed limits on a State's discretion. Another explanation lay perhaps in the framework: UNHCR was told increasingly that the protection regime no longer fitted the problem. Refugee protection was a dynamic, action-oriented function and it must retain an inherent capacity for adjustment and development. It must therefore be firmly based on the principle that refugee protection was first and foremost designed to meet the needs of vulnerable and threatened individuals, but, to be effective, it must take account of the relevant environment, including the rights and interests of States and host countries. The broader humanitarian commitment must be revitalized through the Global Consultations.

86. Mr. MOLANDER (Sweden) said that Sweden welcomed the call for Global Consultations aimed at revitalizing the international protection regime. The starting point should be absolute respect for the right to seek asylum and the full, inclusive application of the Convention relating to the Status of Refugees and the Protocol thereto - a conclusion reached by the Council of Europe at the summit meeting in Tampere. The fiftieth anniversary of those instruments was also a good time to encourage States which had not yet ratified them to do so. The Consultations would also make it possible to address the question of differences in interpreting some of the Convention's provisions and to move forward in meeting protection needs not covered by that instrument. Sweden's own national system did, in fact, cover such needs. An effort should be made to reach basic global agreement on the most important needs, while allowing for further regional approaches.

87. One example was protection in mass flight situations, in which host States should have guarantees of the necessary resources. Possible difficulties in reaching agreement on responsibility-sharing should not be allowed to block progress on the legal issues discussed in the Global Consultations. Protection principles and State responsibilities must also be seen in their broader context. It might be therefore wise to consider asylum and migration issues in the second phase. The effects of control measures must also be discussed. States might not always welcome UNHCR's criticism with regard to adequate protection, but UNHCR had a recognized important role and a mandate to protect refugees, not States.

88. His delegation appreciated the role of the Director of the Department of International Protection and welcomed her introduction. His Government supported UNHCR's mandate for refugee protection and felt that every effort should be made to fulfil the Executive Committee's role to provide advice at the High Commissioner's request.

89. The special needs of children, adolescents and the elderly, and women in vulnerable situations should be highlighted in UNHCR activities and not lost sight of, particularly in times of budget constraints at the local level. UNHCR should also take account of developments in international standards. The General Assembly's forthcoming special session on children should prompt a closer look at children and protection during next year's session of the Executive

Committee. The rights of the child would be a priority topic during Sweden's presidency of the European Union and Sweden would host an EU meeting on the rights of children affected by conflict and displacement.

90. UNHCR's commendable assistance in State efforts to establish national refugee and asylum procedures helped in raising national standards and promoting integration and cooperation. International refugee law must adapt to changes in order to ensure that protecting refugees remained a foremost priority. Strengthening protection was the responsibility of all; in that spirit Sweden would participate actively in the Global Consultations.

91. Mr. HUHTANIEMI (Finland) said that the international protection system, as formulated by UNHCR, was in many respects at a crossroads. International protection had to be guaranteed while at the same time preserving the international asylum system's efficiency and credibility. Finland therefore welcomed UNHCR's efforts to produce two specific policy documents - on interception and on complementary forms of protection - discussed in the Standing Committee in July 2000.

92. One important problem was the dilemma between the right to seek protection and the fight against irregular migration; further analysis would be useful in that regard. The administrative measures listed by UNHCR played a crucial role in controlling irregular migration, but issues such as non-State or gender-based persecution should be further analysed in the context of the 1951 Convention, bearing in mind that women and children were among those facing greater risks of human rights violations; in that context, the phenomenon of trafficking also warranted urgent, coordinated international action.

93. Applying the three permanent solutions - voluntary return, local integration and resettlement - normally required substantial work and resources. UNHCR's need for the requisite financial and moral support in those difficult tasks should therefore be stressed. Implementing legislation and carrying out humanitarian operations were different sides of the same coin of protection. And it should be remembered that protecting the human rights of minorities, such as the Roma, in their countries of origin was the best way to prevent displacement. In the coming years, the European Union would be harmonizing its asylum policy - a task which deserved full support. Bearing in mind the conclusions of the European Summit held in Tampere in 1999, Finland reaffirmed the importance of fully respecting the right to seek asylum based on the full application of the Convention; it also drew attention to recent cooperation agreements signed between the European Commission and UNHCR.

94. As recognized in the current year's Note on International Protection, UNHCR was working closely with States to promote the flexible, but principled application of existing refugee protection instruments. Finland believed that wide-ranging international consultation was one way to achieve protection and would support the policy that the Consultations should include experts from NGOs, such as the European Council on Refugees and Exile, the Migration Policy Group and the Immigration Law Practitioners' Association, together with Government and UNHCR representatives.

95. Mr. REYES RODRIGUEZ (Colombia) said that his delegation deeply regretted the deaths of UNHCR humanitarian personnel and conveyed his Government's sincere condolences to their families.

96. International protection was based on legal principles, but its implementation had faced UNHCR with the challenge of finding practical solutions and that challenge had been further complicated by recent conflicts and forced displacements of people. UNHCR played an important role in Colombia in helping to guide the national authorities in taking preventive action, adopting protection measures and procedures aimed at durable solutions, applying domestic legislation and strengthening coordination among national and international bodies, governmental and non-governmental, including the dissemination and implementation of international legal instruments relating to refugees. His Government appreciated UNHCR's cooperation, which offered an example of how a dynamic approach could be adopted to internal displacements, one of the greatest challenges, which required a multifaceted response. The two main and equally complex aspects involved were the protection of internally displaced persons and the consolidation of local and regional asylum facilities. The first had been included in the peace strategy contained in the National Development Plan, in which prevention and return were key objectives of government action. The Government had been striving unflaggingly to reach a peace agreement with the insurgent groups that would include respect for international humanitarian law and Plan Colombia contained a set of investment projects to facilitate return.

97. With regard to local and regional asylum structures, UNHCR was called on to offer its experience in information and assistance to States which granted asylum and those involved in preparations for voluntary repatriation. UNHCR was carrying out highly important work in that regard in Ecuador, Panama and Venezuela. His Government's bilateral work with those neighbouring countries, in an atmosphere of mutual respect and observance of the relevant international instruments was enhanced by UNHCR's participation in the tripartite meetings that had been held.

98. Colombia reiterated its determination to pursue its efforts in two mutually supporting fields: the implementation and development of the existing Conventions; and inter-State cooperation, with UNHCR's assistance, for refugee protection.

99. On behalf of the Colombian Government and nation, he thanked the High Commissioner for the work which she had done during her 10 years of office and which had earned her the recognition and respect of the international community as a whole and refugees and internally displaced persons in particular.

100. Mr. GERBER (Switzerland), referring to international protection, said that the overview which the Director of the Department of International Protection had given provided an excellent working basis. With regard to the "first circle" of issues, it should be reaffirmed that the Convention remained the soundest international framework for refugee protection, but, while it was extremely useful to review that instrument's implementation every year, the opportunity should also be taken to look at other aspects such as possible developments in mechanisms for implementation, as well as matters of monitoring and supervision. The work of other expert

groups and interested bodies should also be taken into account so that the Executive Committee would be in a better position to keep abreast of refugee situations. It would be interesting to see what ideas the next High Commissioner would have on those questions.

101. With regard to the "second circle", he supported the idea of attracting experts from various fields and wondered whether the findings would be produced in the form of conclusions or recommendations and whether they would be transmitted to other bodies.

102. As to the "third circle", it was clear that UNHCR could not possibly have foreseen and made provision for all the events that had taken place in recent years. The matter was of major concern to the entire world community and called for appropriate responses, including adequate North-South cooperation. He welcomed the fact that UNHCR intended to identify themes which had a protection dimension and thus warranted particular attention. There were other subjects, not directly related to protection, that could give rise to problems and should be looked at by either the Executive Committee or, if necessary, some other body, perhaps one dealing with migration problems in general. It would also be useful to discuss ways of stepping up efforts to alleviate the burden on countries of first asylum, particularly those of the South.

103. For all those matters, it was essential for the Executive Committee to have a clear and binding timetable - although he hoped that next year's commemorative meeting could also involve some measures to encourage countries which were not yet members to join.

The meeting rose at 6.15 p.m.